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HANSARD'S

PARLIAMENTARY DEBATES:

THIRD SERIES,

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

10° VICTORIÆ, 1847.

VOL. XCI.

COMPRISING THE PERIOD FROM

THE SIXTEENTH DAY OF MARCH,

TO

THE TWENTY-SIXTH DAY OF APRIL, 1847.

Third Volume of the Session.

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1847.

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HANSARD'S

PARLIAMENTARY DEBATES,

IN THE *SEVENTH SESSION* OF THE *FOURTEENTH PARLIAMENT* OF THE UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*, APPOINTED TO MEET 11 NOVEMBER, 1841, AND FROM THENCE CONTINUED TILL 19 JANUARY, 1847, IN THE TENTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

THIRD VOLUME OF THE SESSION.

HOUSE OF LORDS,

Tuesday, March 16, 1847.

MINUTES.] PUBLIC BILLS. 3ª and passed:—Consolidated Fund; Loan.

PETITIONS PRESENTED. From Guardians of the York Union, for the Repeal of the Poor Removal Act.—From the Rev. J. King, of Chester, for the Repeal of the Tithe Commutation Act; for Cancelling the Proceedings of the Tithe Commissioners; and for restoring the Church to her Rights by restoring the Tithes.—From Carmarthen and other places, for the Appointment to the Local Courts under the Small Debts Act, in the several Welsh Districts, of Judges and Officers who understand the Language of those Districts.

BIRMINGHAM AND OXFORD JUNCTION RAILWAY.

LORD STANLEY said, that he had been requested by some of the shareholders of the Birmingham and Oxford Junction Railway to present a petition with reference to that which had been brought under their Lordships' notice by the noble and learned Lord (Lord Lyndhurst) on Friday last, when his noble and learned Friend gave notice he should this evening move for a Committee to inquire into the allegations of a petition from the Great Western Railway Company, complaining of the conduct of the London and Birmingham Company, in collusively purchasing shares in the Oxford and Birmingham line. He hoped that he might be able to state the case of the petitioners with the same clearness with which it had been stated to their Lordships by his noble and learned Friend; but he did not think the company had chosen well their representative, because, although he had considerable experience in the passing of Railway Bills through Parliament, he had no knowledge of their workings, and he had never attended any meetings of railway proprietors. The parties before them, who were, in truth, interested in the question, were, on the one hand, the North Western Railway, or London and Birmingham Company; and, on the other hand, the Great Western Railway Company. The petitioners in this case were the shareholders in the Birmingham and Oxford Railway, who held shares long before the passing of the Act enabling the Great Western Company to purchase the line, and they were, consequently, not open to any of the charges which had been brought against other shareholders, of being collusive. There were some facts upon which he did not think that there was any dispute. In the first instance, the Birmingham and Oxford line, which was the subject of so much discussion, was a line contemplated by the Grand Junction and the Birmingham and Liverpool Railways. The Great Western, at the time of that union, was in rivalry, and he might say in hostility, to the London and Birmingham Company, who were the original promoters of the line. That company, however, ceased to be a promoter of the line, and withdrew from the management of it, and established an arrangement by which the London and Birmingham formed a union as the Great Northern and Western. The Birmingham and Oxford then obtained a Bill as an independent line, subject to a provision that the Great Western Railway Company should have the right to purchase the line; and in the event of no agreement being come to by the proprietors and directors of the two companies, they were to have the right to make use of it, without purchase, subject to any agreement that could be made. At the time of passing this Bill, the directors of the Birmingham and Oxford were in the interest of the Great Western Company, and they entered into arrangements to make over the Birmingham and Oxford, and a continuous line, the Birmingham, Wolverhampton, and Dudley, to the Great Western Company. The newly formed shareholders had not been permitted the privilege of voting, in consequence of the lateness of the period at which the certificates were issued; while original shareholders, who had no longer any interest in the companies, exercised a right of voting. The result of the arrangement with the Great Western Company was, that the shares of those companies rose, and the directors, taking advantage of the market, sold out 3,000 out of their 4,000 shares at a premium of 10 per cent. The proprietors of the Birmingham and Oxford Company, many of whom, he did not conceal from their Lordships, were also connected with the Grand Junction Company, being dissatisfied with this arrangement, and having received another offer, which they considered more advantageous, they protested against the transfer of the line to the Great Western Company. What the Grand Junction, or rather the North Western Company proposed to do was this: they did not seek to set aside, and had not sought to set aside, the right of the Great Western to purchase the Birmingham and Oxford line, if they could do so with the consent of the shareholders; neither did they seek to set aside, nor had they sought to set aside, the right which the Great Western also possessed, of working over the line. The Great Western had offered 10 per cent, but the North Western subsequently offered 15 per cent; but their offer was not founded upon the basis that they (the North Western), in the event of becoming the purchasers, should interfere with the powers which the Great Western possessed; but founded upon the basis that the Great Western should not have the power of excluding others from working over the line. They proposed to make an arrangement by which the North Western Company should have the use of their line, and work over it in conjunction with the Great Western. On the 4th of December, previous to the issue of the new shares, and before those to whom they belonged had the right of voting, a meeting was called, at which only twenty-one attended, and at which a remonstrance was entered into by many of those present, who wished to have the meeting postponed until the new shareholders became *bonâ fide* shareholders, and had a right to vote; but the proposition was negatived by the directors of the company, who adopted the original offer, and who had acted throughout in opposition to the opinion of the 40,000 or 50,000 who held shares in the Birmingham and Oxford Company. Now, in consequence of this arrangement, large sums had been made by the directors. They put their shares into the market, and sold them at large premiums. Proceedings had, he understood, been set on foot by the shareholders in a court of equity upon the subject. When the Bill should be brought before Parliament to ratify the agreement with the North Western Company, the matter must be investigated before a Committee of the House of Commons; and should that Bill ever come up to their Lordships' House, their Lordships would have an opportunity of minutely investigating the whole subject; and therefore the petitioners saw no reason for their Lordships departing from the ordinary course of Parliamentary proceeding. The directors, he was instructed, who had sold all but a nominal amount of shares at a considerable profit to themselves, were the parties who had brought in the Bill; and before the proper tribunal the question would be raised, whether they had power to dispose of the line in the manner he had related. It was asserted that the shares were bought up by the capital of the North Western Company; but he was instructed that that assertion was absolutely incorrect; but all these matters would be brought out at the proper time, and in the proper place. The petitioners, under those circumstances, prayed their Lordships to adopt one of two alternatives, either that the preliminary inquiry should not be made, or that it should be extended to all the circumstances connected with the dispute; and he thought their Lordships could not refuse one of them. It appeared to him that the question should not be prejudged by coming before a Committee of their Lordships' House. If his noble Friend pressed for a Committee, he should be unwilling to put himself in opposition; but, as at present advised, he was not predisposed to concur in the Motion of his noble Friend.

The EARL of ST. GERMANS said, that he had been requested to present a petition to their Lordships from the directors of the London and North Western Railway Company, which was opposed to the view of the case taken by his noble and learned Friend (Lord Lyndhurst). He had no personal interest in the question, though he must acknowledge that his prepossessions were in favour of the Great Western Company, theirs being the line on which he habitually travelled, and he observed that it was admirably managed. Nevertheless, as the directors of the London and North Western line had placed their petition in his hands, he felt it his duty to present it to their Lordships. The petitioners represented that they did not wish to exclude the Great Western Company from the Oxford and Birmingham line; all they wanted was to have the joint use of that line with the Great Western Company. Looking at the case as it had been stated to the House by his noble and learned Friend, he confessed that he saw no reason why the directors of one railroad should not buy shares in another line. There was nothing illegal, nor even improper, in such a proceeding. At all events, seeing that there must be an inquiry before a Committee of the other House upon the Bill to which his noble Friend (Lord Stanley) had alluded, it appeared to him that any investigation now, on the part of their Lordships, would be premature. Under these circumstances he was inclined to hope that his noble and learned Friend would not press his Motion.

LORD HATHERTON denied that the directors of the amalgamating companies were actuated by merely mercenary motives in the disposal of these shares; and the proof of this was to be found in the fact, that while they realized only 10 per cent from their connexion with the Great Western, they were offered 15 per cent by the North Western. He was very anxious to advert to one part of his noble and learned Friend's speech, of which he had no right to complain, and which was stated with his characteristic perspicuity and clearness. That point was one which the petitioners had no doubt instructed him to state, and it was with reference to the sale of shares by the directors of the Birmingham and Oxford Company. He was not about to enter into any long details upon the subject; but their Lordships were fully aware that the Birmingham and Oxford directors had been accused of endeavouring to make a diversion, by attacking the directors of the other line on the score of their shares. Such a system was pursued, that the directors found it impossible to hold any influence by maintaining a large amount of shares; and many of them sold their shares in order to transfer their interest into the Birmingham, Wolverhampton, and Dudley line. No mercenary views were to be attributed to the directors because they sold those shares, for they had fulfilled their agreement with the Great Western at 10*l.* per share, when the London and North Western Company offered them 15*l.* per share. He would not go further into the subject then, for when the discussion came on, on his noble and learned Friend's statement, he should have another opportunity of addressing their Lordships.

LORD LYNDHURST admitted that his noble Friend (Lord Stanley) had exercised considerable ingenuity in his statement of the case arising out of the petition he had presented; but he was sure their Lordships, when they knew all the circumstances of the case, would be of opinion with him, that the facts stated in the petition presented by his noble Friend, so far from impairing or overthrowing the statements which he (Lord Lyndhurst) made a few nights since in reference to this case, rather strengthened and corroborated them. This was not a dispute in which he was personally concerned. He did not desire to interfere at all in the difference which existed between the two companies, except in so far as the interests of the public were involved in that difference. If there were any dispute as to the facts, would it not be the better course to appoint a Committee to investigate and report on which side the truth was? He admitted that he had no right to expect their Lordships to accede to his Motion on any other ground but this, that the interests of the public were affected, and deeply affected, by the course of proceeding which the North Western Company had thought proper to adopt. It was this consideration alone which induced him to apply for a Committee of Inquiry. As several noble Lords were now in their places who were not present the other night, he might be allowed to recapitulate the material facts of the case as far as the public was concerned. In the course of last Session a Bill was passed authorizing the construction of a line extending from the Oxford and Rugby direct line to Birmingham, and opening, through the medium of the Great Western, a direct line of communication between London and Birmingham. The project, of course, implied a rival line to the old line, the London and Birmingham. The latter company, clearly understanding this, offered the most determined opposition to the measure in its passing through the various stages in both Houses; but their resistance was unavailing. The Legislature sanctioned the passing of the measure, being mainly prompted thereto by the consideration that the new line would be a rival line. Regard being had to the enormous quantity of business done on the old line, the Legislature thought it essential to the interests of the public that there should be a competing company. The measure, therefore, was carried in opposition to the wishes of the London and Birmingham Company. There was a clause introduced into the Act by which the Great Western Company was empowered to purchase the new line, and the Great Western alone. It could not be expected that any such power should be conceded to the Birmingham company, for if it were, their Lordships had themselves admitted that all idea of competition would be futile. The authority, however, was conferred on the Great Western Company. After the Bill was passed, the directors of the new company, with the authority of the shareholders, entered into negotiations for a sale of the line. In order that the concurrence of the proprietary might be formally had, and that everything might be done conformably with the provisions of the Act of Parliament, a meeting was held on the 4th of December, when the terms of sale were proposed to the consideration of the shareholders. The matter was discussed, and the shareholders gave their consent. At that meeting a gentleman attended, who was the avowed agent of the London and Birmingham Company, and he offered a higher price for the line than that which had been offered by the Great Western Company. Some discussion took place, and the proprietors decided that they could not accede to the proposal of the London and Birmingham, they having authorized an agreement according to the terms of the Act of Parliament. They therefore rejected the offer altogether, and confirmed the existing agreement. Everything that was done was done in accordance with the provisions of the Act of Parliament. What took place afterwards? Mr. Glyn, the chairman of the London and Birmingham Company, wrote on the 17th of December, a letter to the chairman of the Oxford and Birmingham line, renewing the offer that had previously been made at the meeting. That offer was again rejected. A meeting was held of the Birmingham proprietors, convened for the purpose of approving the conduct of their chairman. The object, then, of the London and Birmingham Company was this—to obtain possession of this Oxford line, and so get rid of that competition, the importance and necessity of which Parliament had avouched. Having failed, however, in this attempt, they proceeded in the course to which he had adverted the other night, and which would be proved before a Committee, if their Lordships thought proper to grant one. And if that Committee were granted and the facts substantiated, their Lordships would agree that a more irregular and improper transaction had never been entered into by men holding a public position. Immediately after the 16th of December, and when Mr. Glyn had received his answer from the chairman of the Oxford line, the purchase of shares by the London and Birmingham Company began. They then purchased 40,000 out of 50,000 shares. His noble Friend would have it supposed that those shares had been purchased prior to this transaction; but on the contrary, the purchase began after the directors of the Oxford line had refused to accede to the proposal. Then, finding themselves unable to accomplish their object in the way they first proposed, they for the first time began to purchase shares. Forty thousand shares were purchased in the course of a month or six weeks out of the 50,000 forming the capital. It was true that the company themselves could not venture to make the purchases in their own names, because that would have been too flagrant a transaction: it would have exposed their object upon the very surface. But instead of doing that, they employed agents for the purpose. There was Mr. Burton, who purchased 3,000 shares, but under the guarantee of one of the directors. Mr. Hislop purchased, he believed, upwards of 1,500; and Mr. Ellis, a director, also purchased a very large number of shares. The stipulation attending the purchase was, that these shares should be apportioned out in small parcels of ten each, and that the persons to whom they were transferred should give their proxies to Mr. Mozley and Mr. Cobb, two avowed agents of the London and Birmingham Company. The purchases, therefore, were certainly not made in the name of the London and Birmingham Company, but they were made by those who were connected with that company, and under a stipulation that the avowed agents of the company should have the proxies. Having obtained this large number of votes, and having formed this machinery for the purpose of giving effect to their intentions, the next step of this company was to call a special meeting for the purpose of increasing the number of the directors. By the Act of Parliament the number of directors was to be twelve, and there was a power to increase to eighteen, or to reduce to six. That meeting was held, and these parties put in six new directors, so that they had six with them out of eighteen. But at this time four of the old directors were going out, and if four others could be substituted, there would be a majority of ten directors in this transaction. However, there was some difficulty about this, owing to an uncertainty as to the time when these four directors were going out; and what did the solicitor do? He gave notice that a special meeting would be called for the purpose of reducing the number of directors. They now sought to reduce the number of directors to six, so that they might put in four of their own, by which means they would obtain entire possession of this coveted line—this only competing line, in which the interests of this company were so much concerned—and so, by this complicated machinery, contrive to get hold of it for their own purposes, defeat the intentions of the Legislature, and contravene an Act of Parliament. Was this a case for inquiry, or was it not? And ought not some legislative measure be adopted for the purpose of preventing transactions of this kind, more especially as his noble and learned Friend near him said, that he had a petition from another railway company, setting forth a case in which precisely the same machinery had been put in action for a precisely similar purpose?

LORD HATHERTON was understood to say that it was not the solicitor to the London and Birmingham Company who had suggested the meeting to reduce the number of directors, but the solicitor to Mr. Mozley.

LORD LYNDHURST said, that Mr. Mozley was the agent to the company, through the whole transaction, if Mr. Field was his solicitor. The noble and learned Lord then proceeded to observe, that as to referring this matter to the Railway Board, that board had no power of examining upon oath, and it would be idle to enter upon an inquiry of this kind unless the tribunal had that power. With respect to the hint of pending legal proceedings, he had not much faith in that as a substitute for the Committee he proposed. But as regarded the suggestion that a Bill was before the House of Commons, during the proceedings upon which this matter would be fully investigated, the case stood thus: By an Act of Parliament of last Session, the Great Western Company were entitled to enter into a contract, and they entered into that contract, and the matter was settled—finished—binding. Another contract was entered into with the Wolverhampton and Dudley line, which they had no authority to enter into. That contract, therefore, would not be binding unless ratified by Act of Parliament. The Bill before the Commons, therefore, was not for the purpose of ratifying a contract already legalized by an Act of Parliament, but for the purpose of confirming another contract that had been entered into. Now, whether Parliament decided that the contract with the Wolverhampton and Dudley line should or should not be carried into effect, could not affect the transaction as it stood with respect to the Oxford and Birmingham line. And then, any meeting of proprietors now called, must necessarily be composed of those who had been created by the means he had been stating. It would be idle to expect any effective investigation to be entered into upon this transaction through the medium of the Bill before the House of Commons. The noble and learned Lord concluded by disclaiming all personal interest in the matter; but if these proceedings could be justified and established, then the policy of the Legislature, and the Act which they passed last Session to carry out that policy, would be entirely defeated.

Lord STANLEY explained. He controverted the opinion that the transaction could not be investigated by the Committee of the House of Commons on the Bill before them. He held in his hand the terms of an agreement entered into, not with the Oxford and Birmingham Company, but with the amalgamated company. It was between the directors of the Great Western Company and the Birmingham and Oxford, and Birmingham, Woverhampton, and Dudley Company—not two agreements, but one, and that made subsequent to the amalgamation; and the agreement was not for the purchase of one line, but, with the amalgamated company, for the purchase of the two lines. That fact materially affected the case. Assuming his noble and learned Friend to be correct in all his statements—which he was informed his noble and learned Friend was not—and that, through their agents, the North Western Company had actually purchased these shares—and supposing that fact perfectly established, he (Lord Stanley) then asked what their Lordships meant to do? Did they mean to say that a transaction entered into months ago, by which shareholders in the North Western Company purchased shares in another company in the open market, was to be set aside and neutralised by an Act of their Lordships? Was that what they meant to do? And if they did not, he then asked his noble and learned Friend what he meant to do? His noble and learned Friend, before asking for a Committee, ought to show what end he proposed to himself to accomplish. His noble and learned Friend had said, that the object was to prevent a monopoly. He (Lord Stanley) said, that there was no monopoly at all sought to be established by the North Western Company, because a Bill had passed last year authorizing the Great Western Company to buy, and in any case to make use of the line by their carriages and for their traffic; and the North Western Company did not seek to deprive them of that advantage, nor indeed could they do so by any mode of proceeding. The right of travelling on the line from Oxford to Birmingham was secured to the Great Western Company by Act. The right was invested in them, and the other company did not seek to deprive them of it. But what his noble and learned Friend desired was, that the Great Western Company should have the power of purchasing a line, four-fifths of the shareholders in which dissented from that purchase, and intended to oppose it in Parliament. He (Lord Stanley) left the matter in the hands of their Lordships. Personally he had no interest in it whatsoever.

Lord HATHERTON said, he felt it absolutely incumbent upon him to trouble their Lordships for a few minutes. He would, therefore, in the first place, state the reasons which had induced him to take the steps he had done in the establishment of this line. The Birmingham and Oxford and the Dudley lines were necessarily to be considered, for every practical purpose, as one and the same line. The promoters were for the most part originally the same, the directors were, with few exceptions, identical, and their objects were to serve the same districts; they were supported throughout by the same evidence, and they would have been included in one line except that it was not found possible for the Birmingham, Dudley, and Wolverhampton Bill to be prepared in time for the purpose. These two lines, he might say emphatically, were the creation of the local exigencies of the district, and of public opinion in that part of England. The proprietors of the Dudley line and the directors of the Grand Junction Company, as their Lordships had been told at the outset, were before their amalgamation active promoters of this line. Mr. Moss, their chairman, was an active promoter of it, and a large proprietor. Mr. Lawrence was also a promoter of it; Mr. Gladstone, an important director in both companies, was a large shareholder; and other large proprietors of the Grand Junction Company took an active interest in the proceedings for acquiring the line, and they avowed a strong sense of the importance of establishing a competing line from London and Birmingham to Oxford. The Bills, so supported, were sustained by a Select Committee of the Houses of Parliament upon the evidence of all the most enlightened merchants, manufacturers, and proprietors of the central district of England, with the exception—and he admitted it to be an important one—of those whom the London and North Western had secured to their side by the various interests they might have in particular parts of the line, as laid out. Now, he would state to the House what that evidence was. It was simply this: That the district in question was the central district in England; that the period had arrived when the general arrangements respecting conveyance ought to convince the inhabitants of that district that the manufacturing interest in England were about to take a new position; that the manufacture of iron was the great staple manufacture of that district; that the manufacturers saw, with great uneasiness, that the Scotch manufacturers were increasing their establishments on the Clyde, where they could ship their produce at an almost nominal cost; that the manufacturers in Wales were able to ship their produce in the estuaries of the Severn, also at a merely nominal cost; and that it was clear, therefore, unless they were able to obtain conveyance at equally cheap rates, they would be thrown into the back ground, and the district would permanently suffer. It was upon this evidence that the Select Committees of both Houses sanctioned the principle of competition. Parliament, as stated by his noble and learned Friend, was so struck by the importance of it, that they devised an unusual mode of securing it. It was stated openly in the other House that the London and North Western Company would attempt, by an extensive purchase of shares, to abrogate the power given to the Birmingham and Oxford Company to sell to the Great Western, and to them only, to which power Parliament had added a proviso that in case they did not do so, or grant a lease, the Great Western Company should be empowered to run trains on their line. The Bill having passed, the London and Birmingham Company were obliged to have recourse to other projects. They first proposed an equal participation by an equal lease. But how fatal, as far as the public interests were concerned, would the effect have been? It would have destroyed at once the principle of competition ; for if the Great Western had the power of running on the same rails to London, what would the North Western do? They would have the power to clear the main line as far as they could of all the heavy trains, and send them on to the Birmingham and Oxford line, and, by these means, and putting on slow trains, of obstructing, as far as they could, all competition on the part of the Great Western. This proposition, therefore, was refused; and then came the offer of Mr. Mozley, who, he would not say, was employed for the purpose, but who came to Birmingham, and after a long speech, in which he urged the impolicy of selling to the Great Western on such terms, drew from his pocket and read at length a letter from Mr. Glyn, in which he stated the terms the London and North Western were willing to give for the London and Oxford line, if they would abandon the agreement with the Great Western. It must, of course, be presumed that Mr. Mozley was authorized to communicate that proposition to the meeting; but when it was scouted by them, Mr. Glyn, he was sorry to say, so far forgot himself as to repeat the proposal to a body of gentlemen who had signed the agreement with the Great Western Company — certainly a most extraordinary thing to be done by a gentleman of his position in society. He would not follow up all that had since passed, his noble and learned Friend having stated it most correctly. It was clear the parties were determined in every way to obstruct the proceedings, and that unless their Lordships should interfere, the London and Birmingham Company would grow more and more important, until they were able to dictate to Parliament, and thus finally realize their project. He did not think it necessary to trouble their Lordships at greater length; but there was one more very important point that ought to be adverted to. One condition which Parliament had attached to the Great Western Company, if they made the purchase, was, that the tolls of the Great Western Company should be reduced from Birmingham to Oxford and London, and on the whole length of country to the western coast to the level of the Birmingham and North Western. This, as he understood, would be a reduction of no less than 25 per cent, and was, therefore, a matter of great public importance, not merely to the trading interests, but to the interests of the public from the centre of England to the Land's End. He was sure, when their Lordships understood this, they would feel that this was a subject which fully justified the importance the public attached to it.

LORD BROUGHAM said, that when this case was first brought under the consideration of their Lordships, he felt rather disposed to resist the appointment of a Committee, because he did not clearly see his way to a remedy, although he saw very clearly the abuse; but upon further consideration, being perfectly convinced that there had been very great jobbing, contrivance, and intrigue, not to say fraud, in this railway transaction, he did not feel prepared, merely because he did not clearly see his way to a remedy as the result of the inquiry, to advise their Lordships to withhold or stifle the inquiry. On the contrary, he thought they ought to adopt this course, both because it was possible they might discover a remedy fit to be applied, and because it would have a certain tendency to check such proceedings in other cases. He knew it was said that the parties were anxious for an inquiry, that they did not dislike an inquiry, and were prepared to meet it. The fact was, that in all his Parliamentary experience—and it was not short—he had never known a single instance in which an abuse had been denounced, and an inquiry requested, that the parties—the defendants, as he might call them—did not say, "We are far from deprecating inquiry; we are willing to have the matter inquired into; we court inquiry; we pray for inquiry; but do not on any account take this mode of inquiry. Do not inquire in this particular way, or at this particular time." Or, in the language of the petitioners in the present case, they prayed that the inquiry might be postponed. This was the language of the parties in the present case. They did not wish to avoid inquiry, they wished only to avoid this inquiry. Then it was said that there was a Bill in another place which would come down, he should rather say come up, to their Lordships, but which might also not come up; and it was said, that, therefore, the case would be inquired into elsewhere. He doubted that; he had great confidence in that other place: he entertained the greatest respect possible towards it and all its proceedings; but when he recollected of whom it was composed—when he recollected who were the inhabitants of that other place—when he recollected the numberless shareholders to be found in that other place—when he knew the sort of little, mutual, reciprocal conveniences which passed, the compliments and courtesies which passed, between the shareholders of one railway, who could not sit upon the affairs of that railway, but who could sit upon the affairs of some other in which they had no concern—when he knew the mutual, reciprocal, and grateful courtesies which passed between them and the shareholders of that other railway, who could not sit upon the affairs of their own, but who, in their turn, could sit upon the affairs of their neighbours' line—when he knew the course of proceeding which went on, he would not say in that other place, but in some other place, he was forced to arrive at the conclusion that it would be safer and better—he would not say more—that they should keep the inquiry in this place (the House of Lords). If their Lordships should in their wisdom please to say that they would do nothing to stop the inquiry, or rather, that they would do all that in them lay to enable it to go on, he trusted that they would carry it on in the way in which they had resolved many years ago to carry on such inquiries, and that they would not leave the Committee to be named by the House generally; for he was not sure that it would be right for their Lordships to assume a monopoly of public virtue, and assert that "they were not as other men were," but that they would apply the self-denying ordinance which he had moved, and which their Lordships had accepted some years ago, and allow a Committee of Five to be named by the Selecting Committee of that House.

The MARQUESS of LANSDOWNE said, he wished to say a few words merely in the character of an individual Peer, and to ask his noble and learned Friend, whether he would object to refer the matter to a Committee to be named by the Committee of Selection, in the same manner as Committees were nominated to sit upou particular Railway Bills? It was most material that, if this Committee were appointed, it should, from the mode of being nominated, preserve the character of a perfectly impartial tribunal; and he knew of no means by which that object could be so well attained as by adopting that mode of nomination which had been hitherto found so effectual. He trusted, therefore, that his noble and learned Friend would have no objection to this course.

EARL FITZWILLIAM quite agreed that an inquiry should take place; but he had very grave doubts whether the Committee ought to be of the same description as upon an individual Bill. He thought it should be a Committee embracing a much larger number of persons, in which a greater number of views might be taken than you could expect to find in one consisting of five. He apprehended that this would secure a very important result as regarded the public at large, bringing clearly under the view of Parliament transactions of this description, and would have a tendency to impress on Parliament that it would ultimately be absolutely necessary for the security of the public that those railways should be all of them taken, or to a much greater degree than they now were, into the hands, or, at least, into the control, of the Executive power. They had now become the chief modes of communication all over the empire: was it fit, then, that the public of this great empire should be left in the hands of three or four companies as regarded this most important matter? There was no instance in the history of the world in which the communications of a country had been committed to the hands of a few parties. His noble Friend had indeed suggested that an inquiry must take place before a Committee of the other House; that was to say, before a tribunal which had not the power of administering an oath, in a case in which, if in any, the sanction of an oath would be necessary.

Lord CAMPBELL merely rose to suggest, that if the noble and learned Lord had other cases, he ought to bring them forward, and have them referred to this committee, so that the inquiry might be general.

Lord BROUGHAM quite agreed that this course would be desirable.

Lord STANLEY said, if their Lordships pleased to appoint a Committee on this subject—and he should rejoice exceedingly in not being a member of it—he should not give their Lordships the trouble of dividing.

Motion agreed to.

House adjourned.

HOUSE OF COMMONS,

Tuesday, March 16, 1847.

Minutes.] New Writ. For Bedford County, *v.* William Astell, Esq. deceased.

New Member Sworn. For Canterbury, Lord Albert Denison Conyngham.

Public Bills.—2° Marine Mutiny.

Petitions Presented. By Mr. Labouchere, from Limerick, for the Abolition of certain Oaths.—By Mr. Williams, from London and Westminster, for Inquiry respecting the Rajah of Sattara.—By Mr. Ainsworth, from Bolton-le-Moors, against the Use of Grain in Breweries and Distilleries.—By Mr. Forster, from Kircaldy (Scotland) and Carnarvon, for the Reduction of Lighthouse Dues.—By Sir J. Hobhouse and other Hon. Members, from several places, respecting Remuneration to Tax Assessors and Collectors.—By Mr. S. Crawford, from Aghada (Cork), for the Establishment of an Agricultural Tenant-right (Ireland).—By Mr. Borthwick, from Bradford, for Repeal of the Anatomy Act.—By Mr. W. Patten, from Chorley, for Inquiry respecting Cotton (India).—By Viscount Acheson, from Mullaghbrack, for Supplying Coffins for the Deceased Poor (Ireland).—By Mr. E. Howard, from Stratten St. Margaret's and Swindon (Wilts), against the Government Scheme of Education.—By Mr. Ainsworth, from Chorley, in Favour of the Ten Hours Factories Bill.—By Lord G. Bentinck, from Tipperary, for Regulating the Sale of Fire Arms (Ireland).—By Lord Robert Grosvenor, from Limehouse, for an Efficient Poor Law (Ireland).—By Sir C. Coote, from the Grand Jury of the Queen's County, against the Poor Relief (Ireland) Bill.—From Owners and Occupiers of Land in the Counties of Antrim, Armagh, and Down, for Alteration of the Poor Relief (Ireland) Bill.—By Sir W. Codrington, from Guardians of the Poor of the Northleach Union, for Repeal or Alteration of the Poor Removal Act.—By Major Beresford, from Harwich, and Mr. C. Cavendish, from Youghal (Cork), in Favour of the Ports, Harbours, &c. Bill.—By Lord R. Grosvenor and Mr. Spooner, from numerous places, for the Suppression of Promiscuous Intercourse.—By Mr. Lawson, from the East and West Yorkshire Junction Railway Company, against the Railways Bill.—By Mr. Vesey, from Guardians of the Poor of the Abbeyleix Union, in Favour of the Railways (Ireland) Bill.—By Mr. J. Young, from Tullygarvey (Cavan), suggesting Measures respecting Relief to Ireland.

THE WELLINGTON STATUE—THE NELSON MONUMENT.

Mr. W. R. COLLETT, seeing the noble Lord the First Commissioner of Woods and Forests in his place, wished to ask him a question respecting the Wellington Statue. The noble Lord had stated on the preceding day, in answer to a question put to him by the hon. Member for Cheltenham (Mr. C. Berkeley), that the statue was to be removed from the present site at Hyde-park-corner; but he did not say to what place it was to be removed, or at whose expense. He trusted that in the present period of distress, the public would not be put to any further expense respecting it. The question he had now to ask of the noble Lord was—on what site did the noble Lord intend that this statue should be erected, and at whose expense? He would take the opportunity of also asking the noble Lord, when it was expected the Nelson Monument would be completed?

Viscount MORPETH, in reply to the first question of the hon. Member, said it was intended that the Wellington Statue should be erected in Waterloo-place, and he considered the sub-committee were to pay the expense. With respect to the Nelson Monument, instructions had been given as to further works connected with it.

Lord J. MANNERS begged to put a question to the noble Lord the First Commissioner of Woods and Forests. When he said it was the intention of Her Majesty's Government to erect the statue on a pedestal in Waterloo-place, did he mean to say it was the intention of Her Majesty's Government to erect the statue on that site if the subscribers for the statue were averse from that proposition?

VISCOUNT MORPETH observed, that the subscribers to the statue abstained from giving to the Government any suggestion on the subject. They said their part was performed when they placed it on the arch, and then they left it to the discretion of the Government to dispose of it.

LORD JOHN MANNERS: Does the noble Lord mean the House to understand that the sub-committee have authorized the Government to erect the statue in any place the Government choose to select?

VISCOUNT MORPETH: They did not make any suggestion whatever; they left it to be dealt with at the pleasure of the Government.

THE NEW HOUSES OF PARLIAMENT.

SIR DE LACY EVANS wished to put a question to the noble Lord the First Commissioner of Woods and Forests. A great number of persons were anxious (when it was convenient, and would not interfere with the works) to see the interior of the New House of Lords; and he wished to know if the noble Lord could name some time when the public could view it without inconvenience to the persons engaged in the building? There was another subject on which he also wished to put a question to the noble Lord. It had reference to the case of persons living in houses that were to be removed for the new street to be constructed in Westminster, and who had no leases of their houses. It appeared that the law gave no compensation to those persons, and they would suffer great loss by being removed from their dwellings. He hoped the noble Lord, if he had any power over the Commissioners, would take some means of inducing them to consider the very hard case of those individuals.

VISCOUNT MORPETH, with reference to the question put to him by his hon. and gallant Friend, begged leave to state that the subject had already engaged his attention. He thought that at some time the public should have an opportunity of seeing a building, towards the expenses of which they were called upon to contribute so largely. He was also desirous they should see a building of so much splendour. He had accordingly had a communication with the architect on the subject; and he found that with the view of redeeming his pledge to have the New House of Lords in a fit state to be opened for public business at the end of the Easter recess, it would not be possible to admit the public before that period. So far from that, he would take that opportunity of giving notice, that after Saturday next no person whatever could be admitted, for some time, within the precincts of the Palace of Westminster, and that prohibition would extend to the Members of both Houses of Parliament. But when the proper time arrived, he should be rejoiced to take steps with the concurrence of the authorities of the House to admit the public to see what had been done.

GENERAL RECORD OFFICE.

MR. MONCKTON MILNES begged to ask the right hon. Gentleman the Secretary of State for the Home Department the question of which he had given notice; namely, whether Her Majesty's Government had fixed the time at which to commence the erection of a general record office for England and Wales, and whether they had decided on the site of such a building?

SIR GEORGE GREY stated, in answer to the question of the hon. Member, that the subject to which he had called his attention was still under the consideration of Her Majesty's Government, who were fully sensible of the importance and necessity of making some better provision for the custody of those valuable documents. The subject had been under the consideration of the Chancellor of the Exchequer and himself, with the view of selecting the best site that could be obtained; but nothing decisive had as yet been done.

CORN IN PORTUGAL.

LORD JOHN MANNERS wished to know whether the Government had received any information of the Government of Portugal having prohibited the exportation of corn?

LORD JOHN RUSSELL said, that despatches had been received which gave some information on the subject. He feared that the Government of Portugal had come to the decision that the exportatios of corn should be prohibited during a certain period, and it had also determined to admit the importation of a certain quantity of particular kinds of grain.

TRADING IN SEDUCTION.

MR. SPOONER, after presenting a great number of petitions praying for the suppression of trading in seduction and prostitution, proceeded to move for leave to bring in a Bill for that object, and for the better protection of females. It was, perhaps, unnecessary for him to make any statement to the House until the first reading of the Bill; and he should have merely moved for leave to bring it in, but that he had received an intimation from some Members of the House that they would not suffer the Bill to be brought in unless he made a statement. In the present state of the business of the House, if it should be its pleasure that he should postpone his Motion, he should be prepared to do so; but he hoped the House would allow him a few moments to show what the Bill was, and to lay a sufficient ground for the House not to refuse to permit the introduction of the Bill. Some years ago a similar Bill had been introduced into the House of Lords, and passed all its stages there except the third reading, when it was withdrawn at the suggestion of the Minister of the day, the Duke of Wellington, who acknowledged that it was a subject which deserved the deepest consideration of the Government, which, he said, it should have; and he requested the right rev. Prelate who had charge of the Bill to withdraw it, for the purpose of undergoing such consideration. The Bill had emanated from an association which comprised all the bishops, many magistrates, the gentry, and others, who were of opinion that there existed a great wrong, for which there was no legal remedy. Upon that ground it was that he brought the subject before the House, and asked it to consider it, in compliance with the prayer of more than 2,000 petitioners. If it was the wish of the House and of the Government, he would not press the subject now, but he hoped he might be allowed to introduce the Bill, and that it might be read a first time.

Sir G. GREY said, he had informed the hon. Member that, so far as he was concerned, he should offer no opposition to the introduction of the Bill without any discussion. But as an adjourned debate upon an important subject stood for to-night, he had recommended the hon. Member not to press his Motion if it was likely to lead to discussion.

Mr. SPOONER: Am I to understand there is no objection to the introduction of the Bill?

Mr. C. BERKELEY had no hesitation in saying that he, for one, should object to the introduction of the Bill, which, however, he had no doubt that the hon. Member was pressing with the best feelings.

Motion postponed.

THE FACTORY BILL.

On the Order of the Day for resuming the debate on Cracow being read,

Mr. DENNISTOUN said, the House was aware that the Factory Bill stood for Committee to-morrow, and he might say that the manufacturing interest had been so completely taken aback by the enormous majority in favour of the Bill, that they were completely overwhelmed, so that they had taken no step in the matter. But it did happen that yesterday morning he had received a communication from Glasgow, stating the importance of the measure to the manufacturing interest, and containing a proposition which appeared to him likely to meet the views of the supporters of the Bill, whilst at the same time it would not interfere with those of its opposers. He should not enter into any details of the proposition at present. He had stated it to the noble Lord, who was, therefore, aware of the nature of it; and all he (Mr. Dennistoun) wanted was, that as the proposition emanated from Glasgow, and as there was not time to allow of the question being considered fully by the manufacturing body in Lancashire and other parts of England, and as the proposition would be ineffectual unless it met with their cordial assent, he wished to ask the noble Lord, in the absence of the hon. Member for Oldham, not to abandon the Bill, but only to postpone it. He regretted that the hon. Member for Oldham was not in his place. He had informed the hon. Gentleman that such a communication had been received by him (Mr. Dennistoun), and that he should take the earliest opportunity to mention it in the House. In the absence of the hon. Member for Oldham (Mr. Fielden), he hoped it would be in the power of the hon. Member for Cockermouth (Mr. Aglionby), whose name was on the Bill, to say something satisfactory on the subject, or, if he should be unable to do so, probably the hon. Member for Ashton (Mr. Hindley), who was a great supporter of the Bill, would request the noble Lord at the head of Her Majesty's Government to state whether, in the noble Lord's opinion, a proposal of the nature such as he (Mr. Dennistoun) had received from the master manufacturers of Glasgow would not justify both him and the House to urge upon the hon. Member for Oldham to postpone the further progress of the Bill.

Lord J. RUSSELL: In reply to the hon. Gentleman, I have to state that he came to me, accompanied by one of his constituents, with a proposal of a plan which the hon. Gentleman conceived would meet the views of those who were the supporters of a Ten Hours Bill, and which would, at the same time, be palatable to the master manufacturers; or which would, at least in their eyes, be far less objectionable than the present Bill. I should say that the proposal seemed to me to be one that was feasible; but my opinion upon that subject certainly cannot be entitled to much weight without my previously consulting the manufacturers, who are aware of the nature and practical working of machinery, and of the proposed alteration of the system which is at present carried on. I cannot, therefore, ask the hon. Member for Oldham to postpone the Bill, because I could not assure him that the provisions of his Bill would be met by the proposal which the hon. Gentleman (Mr. Dennistoun) has been authorized to make. But if he thinks fit to postpone the measure, I confess I should be glad of any prospect of the Bill being passed in such a shape as would meet the views of both parties. I cannot say anything further, but must leave it to the discretion of the hon. Member for Oldham, and the supporters of a Ten Hours Bill, to decide whether the matter shall be postponed or not.

Mr. AGLIONBY said, although he had no authority from the hon. Member for Oldham to consent to the postponement of the Bill, he could venture to say that not only that hon. Gentleman, but all who supported his views, would consider it most desirable that some amicable means should be devised for bringing this question to an arrangement. What the noble Lord had just said was the real and true answer to the hon. Member for Glasgow (Mr. Dennistoun). To-morrow, at the meeting of the House, the hon. Member for Oldham (Mr. Fielden) would be present, and that hon. Member would then state what course he would take. He entertained no doubt that the hon. Gentleman would comply with what it was reasonable to require of him. It was much to be regretted that this proposal had not been made sooner; and that the master manufacturers did not sooner come to some arrangement. In all the communications which he (Mr. Aglionby) had had with the operatives, he had never found them hesitate to give the readiest attention and the most willing answers to all reasonable suggestions that were made to them. All that could be said at present was, that the hon. Member for Oldham would be in his place to-morrow, when the hon. Member for Glasgow could again mention the subject; and he would venture to say, that any suggestion which the noble Lord at the head of the Government might feel it his duty to make, would be received with all proper respect and attention.

Mr. HUME considered this to be a matter of very great importance, especially when the First Minister of the Crown, in his place in Parliament, had declared that the plan which had been submitted to him was feasible. ["No, no!"] Yes; the noble Lord said it was feasible, and likely to reconcile all parties. ["No, no!"] Certainly, the noble Lord said, that, so far as he could judge, it seemed to him that the plan was feasible; if so, then it certainly was of immense importance that the noble Lord and the supporters of the Bill should use their influence to obtain time for the consideration of the proposal which the hon. Member for Glasgow had been authorized to make.

Mr. HINDLEY was not at all disposed to accede to the suggestion of the hon. Member for Glasgow, to postpone the Committee on the Factory Bill from to-morrow to a future day. The hon. Gentleman well knew the difficulties which a private Member had to contend with when he undertook to introduce and conduct a Bill through its various stages in that House. He was obliged to put it off from Wednesday to Wednesday before he could hope to obtain attention to it. His hon. Friend had, after much labour and perseverance, advanced his Bill to that stage when it was ripe for consideration in Committee; and now came the hon. Member for Glasgow with some private communication from his constituents—but what that communication was the House had still to learn—by whom it was made, whether by one, or by half-a-dozen or more, of the masters, the hon. Gentleman did not tell; but down he came, and when the measure had undergone a full discussion, and had passed the second reading by a large majority, he called upon the friends of that measure to delay its further progress until some proposition, the nature of which no one at present knew but himself and the noble Lord, should have been considered. He hoped the House would go on with the Bill. The operatives had more interest in its success than the masters had against it. In its progress through Committee, he should endeavour to do justice both to masters and operatives; and if in the meanwhile, this proposal should appear to the noble Lord at the head of Her Majesty's Government one which ought to be acceded to, he (Mr. Hindley) was sure there would be no improper impediments thrown in the way by the operatives, who had, throughout the whole of the agitation of this question, shown themselves to be a most reasonable body of men.

MR. BORTHWICK protested against the irregularity of the present proceeding. The hon. Member for Glasgow (Mr. Dennistoun) ought to have made his proposal for a postponement to the hon. Member for Oldham in private.

DR. BOWRING said, it appeared to him that his hon. Friend (Mr. Dennistoun) had done every thing that could be expected from him. Yesterday morning his hon. Friend received some important intelligence from his constituents; he immediately communicated it to the noble Lord at the head of Her Majesty's Government, who considered it of great importance and entitled to attention. His hon. Friend then informed the hon. Member for Oldham, that he had received this communication, and intended to mention it to the House to-day. What could his hon. Friend have done more? He felt the whole matter to be one of great embarrassment, and it was by all reasonable means desirable to get rid of the great difficulties that beset it, and which were increasing every day.

MR. FERRAND begged to inform the hon. Member for Bolton (Dr. Bowring), that the only way of getting rid of those great difficulties was by passing the Bill as it now stood, or a more determined agitation would take place throughout the country in favour of the Bill than had ever yet occurred. The reason for an increased agitation was this—the factory operatives found that the Anti-Corn-Law League, by agitation out of doors, were able to carry the repeal of the corn laws; and he knew not why the factory operatives should not be able to carry their Bill by agitation as well as the Anti-Corn-Law League. He, therefore, assured his hon. Friend, that they were determined to carry the Ten Hours Bill; and, if the House should now throw it out, they would commence an agitation out of doors that would be irresistible.

TAX ON EMIGRANTS.

LORD G. BENTINCK rose, in pursuance of the notice he had given to his noble Friend the Secretary of State for Foreign Affairs, to ask him a question relating to a report which had arrived in this country, that it was in contemplation, either by the federal Government of the United States, or by the Government of the State of New York, to impose an import duty of 5*l.* a head upon all emigrants from Europe to the United States. It must appear to his noble Friend and the House, that at this moment it was matter of importance to Irish emigrants to know whether there was any foundation for that report or not; therefore, he begged to ask his noble Friend whether he was aware of any intention on the part, either of the United States Government, or of the Government of the State of New York, to impose any such tax?

VISCOUNT PALMERSTON begged to state, in answer to the question of his noble Friend, that Her Majesty's Government had received no information of any such duty as that which his noble Friend had mentioned having been imposed upon emigrants from Europe to the United States. He thought some discussion had taken place in Congress upon the subject; but nothing, that he was aware of, to the effect stated by his noble Friend.

CRACOW.

LORD G. BENTINCK: The other question which he wished to ask his noble Friend, and of which he had given his noble Friend notice, was of a very different description from the former question, and related to the subject which was about to come on for discussion that night. It would be recollected, that in his (Lord G. Bentinck's) address to the House in an early part of the debate on the Motion of the hon. Member for Montrose, he stated that he believed there were some other despatches, or other communications, or other memoranda from the British Government to the Emperor of Austria, the Emperor of Russia, and the King of Prussia, with respect to Cracow, subsequent to the letter of the Emperor Alexander of the 21st of November, 1814, and previous to the conclusion of the Treaty of the 3rd of May, 1815. On that occasion his noble Friend the Secretary of State for Foreign Affairs for a moment interrupted him—what his noble Friend intimated he could not tell; but the question which he wished to ask his noble Friend was this—whether there were any other despatches, or communications, or memoranda, or minutes of conversation, respecting Cracow, than those which had already been laid before Parliament.

VISCOUNT PALMERSTON: With regard to the interruption of which his noble Friend had spoken, it was one addressed rather to his eye than to his ear; for the interruption he offered to his noble Friend was simply conveyed by a smile, when, in the course of his address to the House, his noble Friend stated, that the correspondence between Lord Castlereagh and the Government of the Emperor of Russia had no connexion with the arrangements connected with Cracow or with the Treaty signed the 3rd of May. He certainly did smile on that occasion; and if his noble Friend was anxious to know what that smile meant, he (Lord Palmerston) would tell him. If his noble Friend wished to consult the State Papers, which were public and open to the inspection of every Member of the House, he would find that the British Government, through its representative at the Congress of Vienna, was a party to all the protocols and all the communications that took place during the Congress, commencing in the year 1814 and ending in the year 1815, not only in reference to the arrangements with regard to Cracow, but with respect to all the other points included in the general Treaty of Vienna.

Order of the Day read for resuming the Adjourned Debate.

SIR JOHN WALSH said, that he thought the noble Lord opposite had little occasion from the course of the present debate, to congratulate himself upon the merits of his recommendation, that the House should confine its attention to our domestic affairs, and leave our foreign policy to the Executive. Such a doctrine, no doubt, had its conveniences and advantages, which were likely to find especial favour in the eyes of Prime Ministers and Secretaries of State for Foreign Affairs. Still hon. Members had not been able to refrain from the tempting opportunity which the hon. Member for Montrose's Motion gave them, to launch into the widest field of foreign policy; and if Europe were to be set on fire by it, he would have been the phaeton to cause the conflagration. He (Sir J. Walsh) would not promise altogether to debar himself from following in this more general discussion; but he would first address himself to the question more immediately raised by the Motion. The first question for them to consider would be, whether they had any legal right to free themselves from the obligation of that treaty to continue the payment to Russia—whether it would be consistent with the faith of treaties, the law of nations, or with their own character, to discontinue that payment. The second question was, whether, the other being assumed, it would be wise, whether it would be politic, whether it would be consistent with their national dignity, in the present condition of Europe, to pursue such a course? When he entered upon this question, he must say that he felt considerable dissatisfaction at the mode in which the hon. Member for Montrose had introduced his Motion; not that he had stated what was not literally true, but any person who was not acquainted with the whole question would be led into a very erroneous conclusion. According to the terms of the third resolution proposed by the hon. Member for Montrose, it would appear that he considered the Convention of 1831 to be a settlement of equivalents of services, on the one hand, and a payment of money on the other. But that was a very erroneous construction of the document. The Convention of 1831 was a mere explanatory and supplementary convention, and was intended to supply a Parliamentary irregularity, and to remove a technical difficulty which had arisen in carrying out the original Treaty of May 1815, in consequence of the separation of Holland from Belgium. The right hon. Baronet (Sir R. Peel), on a former evening, had taken occasion to call attention to the struggles which England had gone through in the last war, and to the constancy and enduring heroism which she had displayed in the contest with Napoleon. He had rejoiced to hear from the lips of the right hon. Baronet sentiments like these, to which the whole House and the country must respond; but he thought that the country ought to be reminded also that England, if the first and foremost, was not the only agent in the deliverance of Europe, and that if Europe owed a great debt to England—a debt which no time could ever cancel—yet to other parties to the Treaty of Vienna, and particularly to Russia, some credit was also due. The right hon. Baronet, likewise, had noticed a very strong argument, as it appeared to him, against the Motion of the hon. Member for Montrose (Mr. Hume); and the right hon. Baronet took occasion to protest in forcible and energetic terms against a doctrine contained in a despatch of M. Guizot, that the infraction of the stipulations of one article of a treaty by one of the Powers who were parties to it, released the other parties from the obligations of the treaty; but he could not help hoping that the right hon. Baronet attached a larger interpretation to the words used by M. Guizot than M. Guizot himself intended. The words referred to were, "No one Power can free itself from these treaties without freeing the others also." But the following words in the despatch showed that M. Guizot only meant this expression in an hypothetical sense, and did not intend to convey that France had or would act upon the principle contained in them. If, however, the House adopted the proposition of the hon. Member for Montrose, they would adopt the very practice which France seemed to put forward in an hypothetical manner only. The next point to which he was desirous of calling attention, was one on which he knew he must be prepared to encounter certain unfavourable dispositions, both in the House and out of it. He was aware that the absolute principles which these Governments were supposed to embody and represent, were so foreign from the feelings of the English people, that it was not without some difficulty that from the English people and the House there could be gained that just consideration which these questions required. Now, however, the hon. Member for Montrose had made the question assume a judicial character, by rendering it necessary for them to judge and determine, whether, under the present state of circumstances, they were released from certain obligations by which they should under other circumstances be bound. As then they were judging in their own cause, they were bound to give every allowable force to the allegations of the opposing party; and if they were determined to judge, let them not come to a decision without having heard both sides. The right hon. Gentleman the Member for Tamworth had expressed a great anxiety that the greater Powers should give a full measure of protection to the weaker States. The weaker States of Europe must depend upon the greater for protection; and it was one of the great objects of the vast body of international laws to enforce that system of protection. He fully concurred with those sentiments, as expressed by the right hon. Baronet the Member for Tamworth; but he thought that on the part of those weaker States there was a reciprocity of policy due. Whilst entitled to protection from the stronger, they were bound to preserve a rigid neutrality and a pacific policy. They should not expect to derive any impunity from their weakness. Let them suppose, as an instance, that the free and flourishing city of Frankfort were seized upon by the French Government; that an army was marched into it to take possession, and it was declared annexed to the Crown of France. What indignation would be excited—with what execration would not the act be hailed throughout Europe! But let them, on the other hand, suppose that Frankfort were to become the rallying point of the Carlist party, and the focus of a formidable insurrection against the established Government in France, which could only be suppressed by that Government at the sacrifice of an enormous expenditure of men and money; it surely would then be possible for France to adopt measures and utter sentiments of a nature very different from those of an acknowledgment of impunity on the part of the weak but independent State. In such a case an infraction of the treaty which guaranteed its independence would have taken place, and France would be bound to take measures for her own security and protection. It was, in his opinion, sufficiently proved that Cracow was, in point of fact, the seat of an insurrection of a desperate, a bloody, and, at the same time, of an utterly hopeless character. There was no Kosciusko at Cracow. Those illustrious Poles who were foremost in the great but unsuccessful struggle for the independence of their country in 1830—those men who then stepped forward with such devoted gallantry, who met with chivalrous ardour the vast power of Russia, and who sacrificed fortune, rank, and home, in that great contest, and carried with them into their exile the warm sympathies of every well-constituted mind, were not the men to head the Cracow insurrection. It was a well-known fact, that that insurrection was attempted in opposition to all the influence those men could exert against it; against all their recommendations; against all the power they could wield in opposition to that disastrous and, he would add, criminal enterprise. Let them turn to the "Constitution of the Revolution," as the new constitution was called. They would find no Adam Czartoryski's signature attached to such a deed. The hon. Member for

Finsbury had charged the noble Lord near him (Lord George Bentinck) with having given garbled extracts from the document. He (Sir J. Walsh) would, therefore, read it entirely, and let it speak for itself; and it was worthy of observation, that there were only two articles in it in which the penalty of death was not directed for some one breach or other of its mandates. It ran thus:—

> "Art. 1. The government of the revolution is one for the whole of Poland; it is absolute, and is answerable to the nation.
>
> "Art. 2. Every person to whom the Government, or any authority appointed by Government, may propose an office, a command, or post, must accept and fulfil such an appointment on pain of death.
>
> "Art. 3. Every person capable of bearing arms, who does not, within twenty-four hours after the publication of this manifest, place himself at the disposal of the local authority of the place in which he resides, shall be tried as a deserter before a court-martial.
>
> "Art. 4. Acts of plunder and violence against any persons, even should they be guilty, forcible extortion of tithes or soccage, and deeds of active opposition, will be punished with death; which penalty will likewise be enforced upon spies, and upon all persons defrauding public monies, or usurping to themselves an official power.
>
> "Art. 5. Every one forming part of a club, committee, or society, without the permission of the Government, will be declared a traitor to his country.
>
> "Art. 6. Every parish shall within its district erect as many alarm signals as may be found necessary to communicate with the neighbouring parishes; these signals to be posts or trees covered with straw and pitched or tarred over; the destruction of any such signal, or the act of preventing the lighting of such signal, to be punished with death."

Art. 7 was a most mild and beneficent one. It is declared that—

> "The national colours are white and scarlet, and the white eagle on a scarlet ground, with out-spread wings, its head turned towards the right, bearing in its right claw an oak wreath and in its left a wreath of laurel. This eagle will appear on the seals of all the Polish authorities."

What an ornithological curiosity was not the Polish eagle! Again he should say he rejoiced that the names of those who had struggled for the independence of their country in 1830 were not appended to such a document. The conduct of Cracow, as it appeared to him, should certainly be deemed as involving a breach of neutrality. No great State of Europe could adopt such a course of proceeding, without rendering itself liable to be called to account for it. It might be said that there was no necessity for the adoption of the extreme course which had been taken; but extreme difficulties would have beset any other. Great difficulties would have attended the adoption of a system of police. There would have been complaints of foreign intermeddling and interference. A teasing *surveillance* might have been adopted; but it would prove injurious and most oppressive. Very stringent regulations with regard to passports, a circle of troops, or *gens d'armes*, drawn round, or other modes of prevention, might have been tried; but it appeared to him, that so far as regarded the interest of Cracow, such measures would have been very objectionable, whilst their adoption would have placed the great Powers in a most false and invidious position, and Cracow, instead of being benefited, would have been greatly embarrassed. But he was opposed to the adoption of the resolutions proposed by the hon. Member for Montrose, because they appeared to him to involve a sort of miserable petty recrimination in a spirit of hostility to Russia, the carrying into effect of which would be contemptible, would lead to innumerable protocols on the part of Russia, and would give Russia an opportunity of charging them with being guilty of a gross breach of faith, whilst it would not tend in any manner to the interest of Cracow. They had the authority of the great name of Wellington for saying, that a great nation should never have a little war; and he would beg to add that a great nation like England should never have recourse to little petty measures. They should not shut their eyes to what was going on in the West, and confine themselves to combating points in the East. They should speak on subjects like those before them with the greatest delicacy and discretion. Some of the happiest and brightest years of his life had been spent in France, where he had formed friendships which he still retained, and hoped he should retain to the end of his life: and he trusted he should never use language that would give to any individual in that country any possible offence. He thought he could assure the French people that if there was one sentiment more popular than another throughout England, it was a desire of amity with the French nation. He believed that John Bull would be ready to go even three-fourths of the way, if necessary, to shake hands with his neighbour beyond the Channel. But he was bound to add, that he did not believe the same feelings were reciprocated by the French people. He believed France was the only country in Europe at this moment, in which war was actually popular, and in which it would be possible for a ruler to invoke a warlike spirit at any instant among the people. He believed it was the only country in Europe where a desire of aggrandizement by conquest survived in the minds of the public. In that country the great and brilliant names of Marengo, of Austerlitz, of Jena, and of Friedland, still reverberated in the heart of the nation, and there was a desire among many parties to revive the glorious scenes with which those names were connected. He hoped that it was in the power of England, aided as he trusted she would by the pacific dispositions of the great Monarch who occupied the French throne, and by the feelings of the other European States, to avoid exciting this fearful spirit; but he should at the same time boldly state—and he thought it was important that England should know it—that while they hoped to maintain amicable relations throughout Europe, as he trusted they would—while they hoped by time, and caution, and firmness to secure the general peace—they ought at the same time to bear in mind, that should any disturbance unfortunately arise, and should the peace of Europe be broken, they would, in endeavouring, if possible, to preserve the peace, find, he was quite sure, that France would be no safe ally for them in such a contingency. He would ask, in proof of this, how many times in the course of the last seven years were they on the very verge of breaches of the existing peace? Even the other night did not the Secretary to the Admiralty, in moving the Navy Estimates, state as a ground for the increase proposed in them, that the whole seaboard of France was in a state of preparation for war—that from Dunkirk to Toulon there was nothing but arming going on. If such was not the case, he would like to ask for what were the 127 furnaces blazing at Brest? At all events, he could assure the House that it was not with any intention of restoring the independence of Cracow. He could not conclude without briefly noticing the conduct which Her Majesty's Government pursued in the recent transactions with regard to Cracow. The first question which they had for consideration was, whether the suppression of Cracow was a violation of the Treaty of Vienna? He should say, that after giving the fullest consideration to the arguments adduced by Prince Metternich on the question, he could not bring himself to the conclusion that that eminent statesman had made out his case. He could not believe that the treaty securing the independence of Cracow was merely registered in the Treaty of Vienna; and it did appear to him that the Three Great Powers were bound to communicate with England and France before undertaking any decisive step in the matter. If he understood what fell the other evening from the right hon. Baronet the Member for Tamworth correctly, the right hon. Gentleman was of opinion that some notification had been made by these Powers that no permanent step should be taken with regard to Cracow without such a communication being made to this country in the first instance; and on referring to one of the despatches of Lord Westmorland to Lord Aberdeen, this view appeared to be borne out. One paragraph in these despatches was as follows:—

> "General Canitz has stated to me that as soon as the proceedings against the prisoners in Cracow have been completed, the question of the establishment of the government of the State of Cracow will be entertained, and the proposals of the Three Protecting Powers upon that subject referred to the allied Governments of England and France; but that they will be such as are entirely in accordance with the stipulations of the Treaty of Vienna, to which Prussia will most rigidly adhere."

From this it would appear that the course pursued with regard to Cracow was not only a violation of the Treaty of Vienna, but of an express understanding. He could not think the conduct of these Powers was proper or courteous towards England. He could, therefore, cast no censure on Her Majesty's Government for having sent a protest under the circumstances; for he could not but feel that whatever justification those Powers might have for what they did, that justification should have been stated to this country. Under these circumstances he felt himself perfectly willing to vote with the noble Lord at the head of Her Majesty's Government for the previous question; but at the same time he should admit that the Three Powers had much stronger grounds for their proceedings against the State of Cracow than he had believed before reading the papers which had been laid before the House on this subject.

LORD H. VANE said, that the correspondence which had been laid before the House seemed to him conclusively to prove that, as far as we were concerned, whatever might be our opinion with respect to Cracow, we should hardly be justified in not paying the money and yet retaining the four colonies which had been ceded to us under the Treaty of Vienna. He thought, too, that after the statements that had been made in the course of this debate, the hon. Member for Montrose would certainly not feel it necessary to divide the House on the fourth resolution. In his opinion, it would be most unwise for the House of Commons to do otherwise than leave the matter in the hands of the Executive, although the hon. Baronet in the early part of his speech had expressed an opinion that it was a very convenient doctrine for Governments, that all matters connected with foreign affairs should be left with the Executive. All that was necessary had been done in this case, in expressing a strong opinion upon it; and almost all who had taken part in the debate had, with perfect unanimity, agreed in opinion that the Treaty of Vienna had been violated. With respect to what had fallen from the hon. Baronet, he certainly could not deny that a war party had always existed in France, and that that party was generally hostile to this country; but he believed that the hon. Baronet had overcharged his case, and he was convinced that that party was kept down by the Monarch and a stronger party in France. He agreed with the hon. Baronet, that the right hon. Gentleman the Member for Tamworth had infinitely overstated the words or general bearing of M. Guizot's protest. He thought that that protest had been drawn up by M. Guizot in terms as mild and unobjectionable as it was possible for any Foreign Minister to have drawn it up; he understood M. Guizot to have stated, what he believed could not be denied, that when one party violated a treaty, the other party might, if he chose, disregard that treaty. In general, there could be no doubt of the accuracy of that opinion; France might feel herself thereby justified in departing from the Treaty of Vienna; but he thought it would be most unwise for us to have adopted such a course. It was our interest to maintain the integrity of the Treaty of Vienna. Because in one respect the Three Powers had violated that treaty, and France considered that she was absolved from it, it did not follow that she was absolved from it with reference to England. We had hitherto observed it with most scrupulous fidelity; and he trusted we should always pursue the same course. In that respect, then, he thought it would be a most fatal error for them to adopt the fourth resolution of the hon. Member for Montrose. If they placed themselves in that position, the Treaty of Vienna would be hereafter regarded as an instrument of no value, and would be violated at any future period, just as it might suit the particular views of any particular Power. He rejoiced, therefore, that his noble Friend would not give in to that resolution. He trusted that the Three Powers would take warning from the opinion of that House—from the general shock that had been given to the stability of all treaties by their conduct—and that by their good treatment of the Poles, and doing everything that might tend to ameliorate the state of Poland, and especially those who were exiled from that country, they would endeavour to make an effective reparation for what he could not but consider was a most flagrant violation of the Treaty of Vienna.

Mr. STUART WORTLEY was anxious to hear from some Member of the Government, whether they were willing to acquiesce in any degree in some of the extraordinary positions which had been maintained in the course of this debate. With respect to the Motion itself, he was involved in considerable difficulty. He was anxious to give a most distinct as well as forcible expression of his total disapprobation of the course taken by the foreign Powers; and, with that view, he should be most desirous to join in some such expression as that which was embodied in the first resolution of the hon. Member for Montrose; and if the hon. Member pressed it to a division, he must vote with the hon. Member upon it. He felt the force of the argument of the right hon. Baronet on a former occasion, as to the inconvenience of the House coming to a resolution which they were not prepared to follow up by active measures; but at the same time, they had a choice of difficulties, and he knew of no other way, if called upon to decide, of avoiding a false impression going abroad, as to the effect of this discussion, than by voting for the first resolution. He therefore entreated the hon. Member for Montrose, if he had any influence with him, after the general expression of opinion that had prevailed throughout the debate, not to divide upon the first resolution. With respect to the latter part of the resolutions, he was prepared undoubtedly to maintain, that upon the strictest, and he might say not unfair, grounds of legal construction, if they chose to take advantage of what had taken place, it was within the power of this country to do so. Looking, then, at the present state of Europe—looking at the settlement of Europe which had been made when the Treaty of Vienna had been concluded—he ventured to say that even if England really had the rights which it was said she possessed, he doubted whether, under present circumstances, the exercise of those rights would be expedient. At the present stage of such a debate as that, he should not enter into a recapitulation of the wrongs of Poland; he did not want to speak of the events of 1792, or of those which took place in 1794. Of the two questions before the House, the first was this: whether under the conventions to which England was a party, we were still bound to the payment of the Russo-Dutch loan; the second was, whether, by the acknowledged breach of the Treaty of Vienna which had been recently committed, we were set free from the obligations which that treaty imposed? Then there came a third question: even supposing that there had been no breach of the treaty, had there been such a breach of the general conventions as would justify our disregarding the obligations which this country had contracted with reference to the Russo-Dutch loan? In order to arrive at sound conclusions upon such a subject as that then under consideration, it was necessary that they should, or at least it was desirable that they should, take a succinct notice of the principal occurrences which gave rise to the present position of affairs. Although the hon. Baronet the Member for Southwark did not give a correct account of the whole of the arrangements made with respect to the settlement of Europe, yet for the present it was scarcely necessary to do more than to notice the arrangement made in the year 1814. On the first restoration of the King of Holland, the arrangements were concluded at Chaumont, and by the Treaty of May, 1814, the house of Orange was re-established, and the authority of the King of Holland was restored. At that time, Great Britain was in possession of all the colonies that we had acquired during the war; and, so far from the transaction which took place between this country and Holland being in the nature of a purchase and sale, in which colonies formed the consideration, the occurrence was treated throughout as a distinct exception to anything like a bargain of that kind. The most valuable of all the islands restored to Holland at that time was the island of Java. We had had possession of Java from the year 1810: it was restored to Holland in the year 1814. This fact he conceived to be pretty good proof that there had been no sale of that island by Holland to this country. It was merely a restoration by us of a colony to Holland. By the Convention of the 13th of August, 1814, what had been the United Provinces were restored to their original state of independence under the government of the House of Orange, and we entered into such an arrangement as appeared to be conducive to that result. To the First Article of this Treaty he desired to call the attention of the House, and he found it to be preceded by these words:—

> "The United Provinces of the Netherlands, under the favour of Divine Providence, having been restored to their independence, and having been placed by the loyalty of the Dutch people and the achievements of the Allied Powers, under the government of the illustrious house of Orange; and His Britannic Majesty being desirous of entering into such arrangements with the Prince Sovereign of the United Netherlands concerning the colonies of the said United Netherlands, which have been conquered by His Majesty's arms during the late war, as may conduce to the prosperity of the said State, and may afford a lasting testimony of His Majesty's friendship and attachment to the family of Orange and to the Dutch nation; the said high contracting parties, equally animated by those sentiments of cordial good-will and attachment to each other, have," &c.

The First Article was—

> "His Britannic Majesty engages to restore to the Prince Sovereign of the United Netherlands, within the term which shall be hereafter fixed, the colonies, factories, and establishments, which were possessed by Holland at the commencement of the late war, viz., on the 1st of January, 1803, in the seas and on the continents of America, Africa, and Asia, with the exception of the Cape of Good Hope and the settlements of Demerara, Essequibo, and Berbice, of which possessions the high contracting parties reserve to themselves the right to dispose by a supplementary convention, hereafter to be negotiated according to their mutual interests; and especially with reference to the provisions contained in Articles 6 and 9 of the Treaty of Peace, signed between His Britannic Majesty and His Most Christian Majesty on the 30th of May, 1814."

It was evident from this, as from the whole course of those transactions, that there existed no intention whatever of bargain and sale, but a purpose of assisting in the establishment of an independent Power in the Netherlands. At that time Great Britain undertook that 1,000,000*l.* sterling should be paid for Holland to Sweden, 2,000,000*l.* for the fortification of Holland on the side of France, to be borne equally with Holland herself, provided that the share which England was to bear in the general settlement of the Netherlands should not in the whole cost this country a sum exceeding 3,000,000*l.*; and up to this time England, even including an account for interest, had not paid more than 3,000,000*l.* That was the state of things in the month of May, 1814. In the following September the Congress of Vienna was opened; but everything which related to the settlement of the Netherlands had been arranged before that assembly had entered upon its negotiations; and, so far from the affairs of the Netherlands occupying its attention, it was the condition of Poland which first and foremost was taken into consideration. The fates of the kingdoms of Saxony, of Sardinia, of Switzerland, were all points as important as the union of Holland and Belgium; but neither did they nor did the latter places occupy the first position in the negotiations which took place at Vienna. But, as regarded Holland, there was no difficulty about Russia. The question did not arise as to the amount of the compensation. It was, of course, well known, and plainly understood, that at that time Russia, much more than any other of the Allies, stood in need of pecuniary assitance. Her capital had been destroyed —her territory had been ravaged. Austria, Prussia, and England, waved their rights in favour of Russia, and most especially was that waver rendered operative with respect to Poland; and the best evidence of this statement which he could lay before the House, was the preamble entered into between England, Russia, and the Netherlands, which was in these words:—

> "His Majesty the King of the Netherlands, being desirous, upon the final reunion of the Belgic provinces with Holland, to render to the Allied Powers who were parties to the treaty concluded at Chaumont on the 1st of March, 1814, a suitable return for the heavy expense incurred by them in delivering the said territories from the power of the enemy; and the said Powers having, in consideration of arrangements made with each other, mutually agreed to wave their several pretensions under this head in favour of His Majesty the Emperor of all the Russias, his said Majesty the King of the Netherlands has thereupon resolved to proceed immediately to execute with His Imperial Majesty a convention to the following effect, to which His Britannic Majesty agrees to be a party, in pursuance of engagements taken by his said Majesty with the King of the Netherlands, in a convention signed at London on the 13th day of August, 1814."

What was obtained by that convention? There were two parties to it, of which Russia was one—England and the Netherlands were jointly the other. But England was not security for Holland, nor Holland for England. The debt was due to subjects of the King of the Netherlands by the Crown of Russia; the amount was 25,000,000 florins, and in consideration of the kingdom of Holland being fortified, England entered into a distinct understanding to make a separate payment to the Dutch creditors of Russia; but neither England nor Holland was security for the other. Russia, however, might be said to be security for both; because, without the grossest breach of faith which any nation could commit, she could not evade the payment of that debt which she had contracted to certain subjects of the Crown of Holland. England might fail to make good her part of the contract. The King of the Netherlands might not succeed in performing all that he had undertaken; but such failures on the part of others would never excuse Russia from the discharge of all the obligations which she had contracted. Russia could not for a moment refuse to comply with the terms to which she had bound herself without at once giving ground for a *casus belli*. The mode of payment had been arranged by two articles; but the Fifth Article of the Convention, to which he had already referred was more explicit than any other on the subject, and that portion of the paper, which he held in his hand, he should, with the permission of the House, then read. It was as follows:—

> "It is hereby understood and agreed between the high contracting parties, that the said payments on the part of their Majesties the King of the Netherlands and the King of Great Britain, as aforesaid, shall cease and determine, should the possession and sovereignty (which God forbid!) of the Belgic provinces at any time pass or be severed from the dominions of His Majesty the King of the Netherlands previous to the complete liquidation of the same. It is also understood and agreed between the high contracting parties, that the payments on the part of their Majesties the King of the Netherlands and the King of Great

> Britain, as aforesaid, shall not be interrupted in the event (which God forbid!) of a war breaking out between any of the three high contracting parties; the Government of His Majesty the Emperor of all the Russias being actually bound to its creditors by a similar agreement."

Now it was clear, from these contracts, that if a war between Russia and Holland broke out, there could be no difference occasioned by the event, as regarded the debt due by the Russian Crown to the subjects of Holland, who were the creditors of Russia. The treaty did not alter the position in which Russia stood towards her creditors. That treaty might be abolished; Holland might once more throw herself into the arms of France. But, though Holland might ally herself with France, the Dutch creditors of Russia ought not to suffer. He should now come to the period of 1831, to which so much importance seemed to be attached. In 1831, in consequence of the three days of Paris, important events took place in Belgium. The infection, if he might so call it, took the population of Belgium; and the dismemberment of that country from Holland was the consequence. Belgium passed from the dominion of Holland—it was not, properly speaking, severed from Holland, but it passed from the dominion of that country. The Convention of the 16th of November, 1831, referred to the Convention of the 19th of May, 1815, in these words:—

> "It appears that that object was to afford to Great Britain a guarantee that Russia would, on all questions concerning Belgium, identify her policy with that which the Court of London had deemed the best adapted for the maintenance of a just balance of power in Europe; and, on the other hand, to secure to Russia the payment of a portion of her old Dutch debt, in consideration of the general arrangements of the Congress of Vienna, to which she had given her adhesion—arrangements which remain at full force; their said Majesties being desirous, at the present moment, that the same principles should continue to govern their relations with each other, and that the special tie which the Convention of the 19th of May, 1815, had formed between the two Courts should be maintained."

Here the whole matter was set forth by Russia herself, and every hon. Member must see that the papers laid upon the Table of the House put the matter altogether out of dispute; and amongst other documents, they had a note from the Russian Plenipotentiary, in which he referred to two additional articles that did not appear in the printed correspondence laid before the House. At page 10, however, of one of the papers laid before the House a passage occurred, which he thought was calculated to throw further light upon the subject. These were the words to which he referred:—

> "Russia, Great Britain, Austria, and Prussia, the Allied Powers who were parties to the Treaty of Chaumont, in consideration, therefore, not of the union of the Belgian provinces to Holland, but of arrangements concluded amongst themselves, renounced all claims to the repayment of the expenses incurred in the deliverance of the said provinces in favour of one of those Powers exclusively, namely, of Russia. Finally, Great Britain consented to become one of the contracting parties, in consequence of previous engagements made by her towards His Majesty the King of the Netherlands, on the 13th of August, 1814."

And what did the Plenipotentiaries go on to say?—

> "Now, what were the arrangements between the Powers who were parties to the Treaty of Chaumont, at the period at which the Convention of 19th May, 1815, was concluded at London? They were the general arrangements of the Congress of Vienna, which had just then terminated. In consideration of the facilities which Russia afforded to these arrangements, her Allies ceded to her all the pecuniary pretensions to which the deliverance of the Belgian provinces had given rise. It necessarily follows that these facilities were real and important, as they were made the ground of her liberation from a considerable debt. And what were the prior engagements of the 13th August, 1814, which caused Great Britain to become a contracting party to the Convention of 19th May, 1815? They were the engagements which we find in the first of the additional articles of the convention signed the 13th of August, 1814, between Great Britain and the Netherlands. This article provides, amongst other engagements of Great Britain, 'to bear equally with Holland such further charges as may be agreed upon between the said high contracting parties and their allies, towards the final and satisfactory settlement of the Low Countries in union with Holland, and under the dominion of the House of Orange, not exceeding in the whole the sum of 3,000,000*l*., to be defrayed by Great Britain. In consideration of the above engagements, the Cape of Good Hope, Demerara, Essequibo, and Berbice, were ceded to Great Britain.' Great Britain had then, on the 13th of August, 1814, contracted an unconditional obligation of sharing with Holland, to the extent of 3,000,000*l*. sterling, the charges

> which burdened the future kingdom of the Netherlands; and this obligation was not gratuitous, for, in exchange, Great Britain obtained the cession of the Cape of Good Hope, Demerara, and Essequibo, and the Island of Berbice. The Convention of the 19th of May, 1845, was, as its preamble proves, as cited above, the effect of this transaction. Whence, it results, that Russia obtained the cession of the pretensions which the signing Powers of the Treaty of Chaumont had to put forward, at the expense of the Prince who should possess Belgium, in consideration of the divers arrangements that it had made with those Powers at the Cougress of Vienna; and that England contracted the obligation of satisfying these pretensions to the extent of 25,000,000 of Dutch florins (about 2,000,000*l.*), in consideration of the cession that had been made of the four colonies."

Thus they had it on the authority of the Russian Plenipotentiaries themselves, that the consideration of a great part of the Convention of 1815, and, therefore, necessarily of that of 1831, was the general arrangements of the Congress of Vienna, and the facility which Russia gave to those arrangements. And at the bottom of the same page which contained this passage, there was a note which stated, that—

> " It was by the Treaty of Paris of the 30th of May, 1814, that the union of Belgium to Holland was irrevocably decided upon. It did not, and could not, therefore, give rise to any discussion at the Congress of Vienna. Difficulties arose at this Congress on other points. Russia abandoned its demands on those points; and, to compensate her for her sacrifices, the Allies resolved to facilitate to her the payment of her ancient Dutch debt."

If such was the nature of the obligation, on what ground could England be released from it? That was the question asked by the Russian Plenipotentiaries. But there was another question which also required to be asked. It was, had Russia fulfilled her part of the Treaty of Vienna? for, if she had not, then, according to all authorities, if one party to a treaty failed to perform his engagements, then other parties to it could take advantage of his neglect. This part of the question led to the consideration of another branch of the subject, namely, what were the facilities given at the Congress of Vienna? First, with regard to Poland, as to which the noble Lord the Member for Lynn seemed to him to have misapprehended Lord Castlereagh's correspondence. Lord Castlereagh contended, supported by France, for an independent kingdom of Poland; Russia contended for the whole duchy of Warsaw, and for giving the kingdom of Saxony to Prussia. Austria, on the other hand, was first disposed to support England in obtaining the establishment of an independent State between her empire and Russia; but finding that impossible, contended then for a final partition of Poland between Russia, Prussia, and Austria. It was at last, in consequence of the letters of Lord Castlereagh, that Russia made that proposition in the presence of Lord Castlereagh, in December, 1814, in the Committee of the Congress of Vienna, by which Cracow was established as a free State. If, then, the maintenance of the Treaty of Vienna, in this essential respect, was the condition of the obligation on England to pay the 25,000,000 of florins, the violation by Russia of the stipulations of that treaty, even though it might be in respect of a "geographical atom," was sufficient to establish a breach of the conditions by one party to the treaty, and therefore to justify their not being adhered to by the other parties. According to the laws of nations, England was justified in repudiating her share of the engagements as regarded the loan. There remained, however, the higher consideration, whether it was just or wise to take advantage of that breach. In this point of view there were two things to be considered: first, we could not shut our eyes to the importance of the fact, that we still held possession of the colonies in question; nor, secondly, could we forget the much higher fact, that, as regarded the general political arrangements of Europe, Russia, when called upon to act in concert with England in times of difficulty, had strictly adhered to her arrangements at the Treaty of Vienna, and still showed a disposition to adhere to them. With reference to those considerations, it was important to weigh well whether it would be wise on our part to take advantage, as it was proposed we should do, of the violation by Russia of one part of the Treaty of Vienna. And this brought him back to that letter of Lord Castlereagh to Lord Liverpool, on the 13th of February, 1815, which appeared to him to have been misunderstood. In that letter Lord Castlereagh said—

> " It also appears to me impossible, after the principles laid down in our negotiations with Holland, and the convention concluded, in August last, with the Prince of Orange, that Great Britain could retain Demerara, Essequibo, and Berbice, without incurring some such charge, either as an

increased fund applicable to fortifications, or an arrangement in favour of the Powers who reconquered the Low Countries."

And previously he said—

> "My persuasion of the policy and necessity of this measure is such, that I should not have hesitated to conclude the arrangement before my departure, had I not deemed it advantageous to leave this concession in the Duke of Wellington's hands, as a security for the due execution of what remains to be done."

And he followed that up by adding—

> "Whether its refusal would absolutely defeat the territorial arrangement in favour of the Orange family may be doubtful; but if it should induce one or two of the great Powers to withhold their signature from that part of the general arrangement, or to refuse acknowledging the Prince of Orange in his new sovereignty, I think we should have essentially shaken his authority with his new subjects in its infancy, and placed him in a predicament of too apparent dependence upon France. It is also to be recollected that, after all the minor Powers of Germany were forced to contribute, independently of the expense of their own troops, a clear year's income of their respective revenues to the war, it cannot reasonably be expected that the great Powers should at their own cost recover Belgium, and give it to the Prince of Orange, without throwing upon it, at least, an equivalent charge."

So that it appeared from these passages, that it was not then settled in Lord Castlereagh's mind, whether the equivalent for those colonies held by Great Britain should be in the shape of further sums for fortifications, or a money payment to the Allied Powers; but, on the other hand, it was clearly assumed that we could not keep the colonies in question, unless some such arrangement were made. The effect of that convention was the Convention of 1815; and now the real question was, what was the extent of our obligation under it? He admitted, that unless we fulfilled the obligations imposed upon us by that treaty, we could not in honour keep those colonies: the question was, what were really those obligations? The letter of Lord Castlereagh did not define them. The noble Lord the Member for Lynn appeared to him to be in error in more than one respect as to the Treaty of Vienna, particularly as to that part which he considered to have been affected by the division of Belgium and Holland. Russia at that time had no doubt as to that division being a breach of the Treaty of Vienna, because she offered to march 60,000 men to the Netherlands to vindicate the treaty. There was then no pretence about a subsidiary treaty between Three Powers, or whether France and England had any right to interfere. Russia treated that event as at once a breach of the treaty. The noble Lord, however, urged that Spain and Portugal were not called in. Why? Because Spain never signed the Treaty of Vienna. Portugal was only a consenting party, not having been a party to the Treaty of Paris. Sweden, too, was a mere consenting party; and others were only signing parties. There was a clear difference between those States which were only in these respects parties to the treaty, and those who were substantially the contracting parties—one of whom England was in the broadest possible view. The noble Lord also argued from the fact that Cracow was, in 1831, in the occupation of Russia. Why, of course she was. But it was only on the same plea that was afterwards urged in 1836, and at a subsequent time, namely, that the occupation was "temporary" only. There could not be a stronger implied admission that an occupation which should be any other than temporary, would have been a breach of the Treaty of Vienna. And what was that treaty? It was in pursuance of the 32nd Article of the Treaty of Paris, and of the first additional article of the same treaty, by which it was expressly reserved to the Congress of Vienna to settle the balance of power in Europe, and come to a new distribution of territory. There were new Powers who were the principal parties to the treaty, while there were three others who formed part of the Committee of Eight; Spain, Portugal, and Sweden. But the great parties to the treaty were Russia, Prussia, Austria, Great Britain, and France. They were told, however, by the document from Vienna which had been so much referred to, that Great Britain and France were only consenting parties to the treaty. That involved a great mistake as to the real constitution of the Congress. In accordance with the law of nations, the Congress of Vienna was a meeting for negotiation; sometimes for mediation, sometimes for arbitration, sometimes for compromise, sometimes for direct contract. All these several conditions were fulfilled at the Congress of Vienna. As to the carrying out of the Treaty of Paris, all the Five Powers were as much contracting Powers as they could possibly be. What did they do? At first the four Allies attempted to take all into their own hands, and to exclude France; but Prince Talleyrand protested against this, and Spain, Portugal, and Sweden were received into the Council of Eight. But it afterwards became necessary to subdivide the different States, and to form Committees and Commissions. Among the rest, by consent of all, was formed the Committee of Saxony and Poland, consisting of Russia, Prussia, Austria, France, and England—the Five Great Powers. To that Committee, in fact, was given at the time the whole distribution of Europe for the purpose of maintaining the balance of power. First and foremost came the State of Poland. It appeared that, although the other Powers could not succeed in inducing the Emperor of Russia to give up all his pretensions, the Emperor by his short letter, which was read by the noble Lord, not acquiescing, yet the end was that Russia did, to a certain extent, give way, and agreed to adhere to the Treaties of Reichenbach and Töplitz. In the Committee of Eight, too, it was proposed by Russia to make a final partition of Poland; and one article proposed by Russia was the perpetual freedom of the free State of Cracow. In the preamble to the Treaty of Vienna, there was express reference made to other treaties which had to be ratified; but it also referred specially to other matters, which were designated as "of superior and permanent interest." Now, those were the subjects which were committed to the care of the Committee of Five. Some of the subjects brought before the Congress might undoubtedly belong to the class of those which were not required to be dealt with by all the contracting Powers; but certainly the affair of Cracow was one of those coming under the class of "superior and permanent interest." In this state of things he did not see how it was possible to regard the late act of the Northern Powers as any other than a breach of the Treaty of Vienna. That Cracow was not to be regarded as unimportant, they had the evidence of Colonel du Plat, our Consul there, in his despatch to the Earl of Aberdeen, dated March 10, 1846. It was as follows:—

> "Cracow, since its elevation to an independent State, has always been the depôt of very considerable quantities of English merchandise, sent thither by the Black Sea, Moldavia, and Gallicia, and even *via* Trieste; and which afterwards find their way to the surrounding countries. Before the current year elapses, Cracow will be in a direct railway communication with the great lines of Prussian Silesia and of Bohemia and Austria; and probably in the next year it will constitute the central point of the important line of railway communication between the Adriatic and the Baltic. Early in the ensuing year, also, it will be in direct communication of the same description with Warsaw; and the project of connecting this capital, by railway, with Moscow, has long been entertained, and is now said to be considerably advanced in the preliminaries. From Moscow to St. Petersburgh a railway is already in rapid progress; and so soon as it may be finished, the line thence to Odessa is to be commenced. From the same point, eastwards, a line to the river Oka, one of the principal affluents of the Volga, has already been sanctioned, and is to be commenced immediately, with permission to extend the same hereafter to Sarato, on the Lower Volga itself, and at no great distance from the Caspian Sea. Looking, therefore, to the almost certainty of a very great part of the trade of the Levant, and even of India and China, finding its way up the Adriatic, it cannot be denied that it must be of the greatest commercial importance, even to England, to have such a station as Cracow in the centre of the great net of railways connecting the western and eastern continent."

The author of the *History of Diplomacy* said, that—

> "This city (Cracow), ancient rival of Warsaw, was judged too important to belong to one of the Three Powers. Erected into a republic, it prevented their immediate contact, at all events, at this point."

And he afterwards referred to it as

> —"an imperceptible republic, which replaced, in some regards, the free city of Dantzic, newly reunited, on account of its fortifications, to the kingdom of Prussia."

Cracow was at that time, therefore, taken as a sort of make-weight for Dantzic, which had been given to Prussia. He thought he had shown, that if they were in certain other respects justified, they had it in their power to absolve themselves from the obligations of this convention. It did not require any argument from him to show that the Treaty of Vienna had, in this instance, been violated by the conduct of the Three Powers. That, he thought, was sufficiently evident from the conduct of the Three Powers themselves; for why had there been so much concealment about their proceedings? Why was it that our representatives at the Courts of Vienna, Berlin, and St. Petersburg had been duped? Why was Mr. Magennis, our representative at the Court of Vienna, kept in ignorance of the intentions of the Austrian Government? Why was Lord Westmorland assured that England would be consulted before any measure was taken with reference to Cracow, and that no intention was entertained of infringing the Treaty of Vienna? Why did Mr. Bloomfield—now Lord Bloomfield—write to the English Government from St. Petersburg, that he was surprised when he was informed that the annexation of Cracow was *un fait accompli?* It was evident from the course those Powers had taken, that they were conscious they were acting contrary to the provisions of the Treaty of Vienna. They considered, probably, as they were dealing with this unimportant geographical atom, that there would be no disturbance of the general peace of Europe. In that expectation they might not be disappointed. This country might not interfere beyond the dignified protest which had been made by the noble Lord opposite. France might not be disposed to interfere. For his own part, he hoped she would not act upon the principle alluded to the other night, or take any course which might throw discredit upon the Treaty of Vienna. That treaty had conferred too great benefit upon Europe and upon mankind, by continuing a thirty years' peace—it had conferred too great benefits upon all the nations who were parties to it, to be lightly thrown aside. He trusted, therefore, that this country would take the dignified course which had been recommended by the noble Lord opposite. But he had thought it not unimportant to endeavour to show that England had the power, if she chose to exert it, to absolve herself from the conditions of the Treaty of Vienna, and that there might be circumstances which would justify her in exercising that power. He trusted that Europe and the world would give us credit for that maintenance of public faith which had ever distinguished this country, and that they would see that we had on this occasion abstained from exercising our undoubted right, because we thought it our duty to maintain friendly relations with foreign Powers, so far as we could do so consistently with a due regard to our national honour. If he were forced to a division, he would not shrink from expressing his abhorrence of the conduct of the Three Powers by voting with the hon. Member for Montrose in favour of the first of the resolutions he had submitted to the House. But he would ask that hon. Gentleman, whether anything would be gained by going to a division which might elsewhere be misconstrued? because, from the speeches which had been made on both sides of the House, a division was not likely to show a very strong array on the side of the hon. Gentleman; and it might, therefore, be supposed, that there was less sympathy with his views in that House, with respect to the annexation of Cracow, than was really entertained. If the hon. Gentleman persisted in dividing upon the first resolution, he (Mr. Wortley) would vote with him; but on the high ground he had stated, he could not support the resolution for discontinuing the payment on account of the Russo-Dutch loan.

MR. CHRISTIE could not bring himself, with the right hon. Gentleman who had just sat down, to vote for the first three resolutions proposed by the hon. Member for Montrose, nor could he understand how the right hon. Gentleman was to vote in company with him against the fourth resolution, for discontinuing the payment. The right hon. Gentleman had been arguing for the fourth resolution throughout his speech. The argument had not been satisfactory to him (Mr. Christie). He thought the right hon. Gentleman's historical statement had not in any way altered the state of the question, as it had been previously put before the House. Now, what were the facts of the case? Holland agreed to reimburse the Allied Powers for the expenses they had incurred in restoring to her her Belgian provinces; the rest of the Allied Powers agreed to wave their claims upon Holland in favour of Russia; England engaged to reimburse Holland for certain Dutch colonies which she retained; and England subsequently undertook to make her reimbursement for the Dutch colonies she held, by making an equal annual payment with Holland in liquidation of the loan advanced to that country by Russia. A second convention in 1831 between England and Russia expressed it, that in consideration of the general arrangements of the Treaty of Vienna, to which Russia had been a party, England should continue the payment of the Russo-Dutch loan. The right hon. Member for Bute

(Mr. Wortley) had argued that the word "consideration," as it occurred in the preamble of the convention, must be invested with a legal and technical meaning. He must say, with great deference to the legal reputation of the right hon. Gentleman, that he could not conceive that words so loose, vague, and general, occurring, not in the body of the convention, but in its preamble—words, too, not used cotemporaneously with the original transaction, but introduced fifteen years subsequently into the Convention of 1831—words speaking in the vaguest possible manner of the general arrangements of the Congress of Vienna (for "general" was a very vague term)—could be invested with that precise and legal character which the hon. Member for Montrose and the right hon. Gentleman opposite (Mr. Wortley) were disposed to attach to them. Such words so placed could not be treated as the final condition of an international bond. The hon. Baronet the Member for Southwark had contended, that even if the infraction by Russia of the Treaty of Vienna had entailed upon her the forfeiture of this payment, we should still be bound to continue that payment as a debt of honour to Holland. He (Mr. Christie) could not concur in that opinion. If we undertook this payment on condition of the faithful observance by Russia of the Treaty of Vienna, then the infraction by Russia of an integral part of that treaty would absolve Holland and England alike from any further payment, and England could honourably retain the Dutch colonies, having fulfilled her engagements towards Holland, conditional as they had been on the conduct of Russia. It had been said, that the importance of this question was lowered by introducing into its consideration a matter of pounds, shillings, and pence. For his own part, he did not discuss the question upon any such grounds. If the violation of the Treaty of Vienna did absolve us from the payment of this money, he considered that it would be the clear duty of the English Government to resist its payment. It had been said that such conduct would be shabby; but if there was any shabbiness, it would be in holding our hands when we were enabled to inflict a punishment, however small, upon a great nation, for a great violation of the rights of treaties. If, on the other hand, we were not absolved from this payment to Russia, then "shabby" would not be the proper term by which to designate our conduct in withholding that payment; our conduct would be at least as reprehensible as that of the Three Powers which were condemned. He considered, with many hon. Members who had spoken during the debate, that in passing the first three resolutions of the hon. Member for Montrose, without the fourth, or without some other practical resolution, they would be pursuing a course inconsistent with the functions of that House, and that they would be trenching upon the province of the Executive. The noble Lord the Member for Lynn (Lord G. Bentinck), had, the other night, propounded views on this subject which it must be a matter of regret that any Member of that House should entertain; but he might say, without meaning any offence to the noble Lord, that his speech was so extraordinary and extravagant that it would be its own best and surest refutation, and could only serve to place in stronger and bolder relief the unanimity of all other speakers in the debate in condemnation of the conduct of the Three Powers. The noble Lord had gone out of his way to eulogize the administration of the Emperor of Russia, and the "mild and clement" rule of the Sovereign of Austria; and he therefore, thought that this debate ought not to conclude without some reference to the barbarities of Minsk and the bloody massacres of Gallicia. He did not charge a cognizance or approval of these events upon the Governments of Russia or Austria, though he thought it must be admitted by the warmest friends of those Governments that it would have been well if they had promulgated a more satisfactory justification of their conduct with reference to those occurrences, in answer to charges which had been made with much circumstantiality, and by persons of distinction. The noble Lord had adverted to a passage in the correspondence relative to the suppression of Cracow, in which the Secretary for Foreign Affairs, in writing to Lord Ponsonby, observed that the withdrawal of the Austrian troops from Cracow had left that city in the power of the revolutionary Government; and had treated this as an unwarrantable transaction. He found, in that correspondence, the following passage in a letter addressed by Mr. Magennis to the Earl of Aberdeen, dated Vienna, February 28:—

> "There appear to have been very inadequate military preparations in Gallicia to meet an insurrection which, it is said, this Government had

been apprised of some time, but in the truth of which the Archduke Ferdinand of Este, who commands there, would not believe."

Now, on the 30th of January—a month before Mr. Magennis wrote his despatch—the Archduke Ferdinand wrote to Prince Metternich:—

> "The country is agitated, a movement seems to be in preparation, the minds of the people are disturbed. However, the Government may be at rest; I am in no want of a reinforcement, for all measures have been taken, in case of an insurrection, to paralyse the movement without compromising the troops."

The first outbreak of the insurrection—not so formidable but that it might have been repressed by a very small reinforcement of military—led to a rising of the peasantry from one end of Gallicia to the other, the result of which was the massacre of 2,000 of the old nobility of the country and their retainers. The only inference which could be drawn from these statements and from the result was, that the Government looked to the efforts of the peasantry of Gallicia for the suppression of the insurrection; and he was entitled to appeal to these occurrences as proofs of the mild, clement, and just rule which had been eulogized by the noble Lord the other night. The noble Lord had also referred to a manifesto of the revolutionary Government of Cracow, which he (Mr. Christie) would not undertake to defend; but he thought they might as well judge of the spirit of a country's legislation from her martial law, as infer what would be the character of a Polish Government from a manifesto issued by a band of enthusiastic insurgents at the commencement of an insurrection. But if the noble Lord looked to another passage in the printed correspondence, he would find that, if the words of the revolutionary Government were not so bland as the promises of Austria, its conduct, nevertheless, afforded a most favourable contrast with the state of pillage, carnage, and disorder, which at the same time prevailed in the Austrian provinces of Gallicia. In that correspondence there was a letter dated the 16th of March, addressed to Lord Aberdeen by Mr. Magenis, in which the writer stated that "tranquillity appeared to be completely re-established in Gallicia;" and he added that—

> "It might not be uninteresting to his Lordship to know that although the Russian resident and his family left Cracow on the 23rd ult. with precipitation, he found upon his return his house exactly as he had left it; and as his house would probably have been the first to be pillaged, a fair inference might be drawn that little disorder of that nature prevailed."

He thought that the hon. Member for Montrose might be satisfied with the strong manifestation of opinion which he had succeeded in calling forth, and abstain from pressing them to a division, which would oblige many who sympathized with him to vote against him on technical grounds.

MR. W. SMITH O'BRIEN said, it was not often that he interposed in the debates of that House in matters that had reference to foreign affairs. The circumstances of his own country unhappily claimed nearly the whole of his time and the best attention which he could pay to her case. But when Ireland had been deprived of her nationality by acts scarcely less nefarious than those which had been employed in extinguishing the nationality of Poland—he could not content himself with giving a silent vote upon the present occasion, or abstain from expressing his sympathies in reference to this subject. The noble Lord the Member for the city of London had offered a challenge to the House which he (Mr. W. Smith O'Brien) should deem it pusillanimous on his part not to accept. When the noble Lord (Lord John Russell) challenged any one to point out a single case in which England had violated her treaties, he would beg to remind the noble Lord of the violated treaty of the city of Limerick. He was there in answer to the challenge of the noble Lord, to recall to his recollection the violation of the compact of 1782, which was as solemnly entered into as ever a treaty was entered into between two nations, at a time, too, when this country was weak, and Ireland was strong. That compact was shamefully violated by England at the time of the Union, and by that violation the laws of nations were as clearly violated as were those in the case of Cracow. With regard to the resolutions now before the House, he must confess that in his opinion every one who fairly and fully inquired into the recent transactions at Cracow, must admit that there had been a flagrant violation of the Treaty of Vienna. He had not read anything in history which appeared to him to be more deserving of condemnation by that House and the country than the recent proceedings of the Three foreign Powers with regard to Cracow. And he certainly must confess that he was surprised when he heard hon. Members rise up in their places in that House, and attempt to contend that there had been no violation in this instance of the Treaty of Vienna. He could not have believed for a moment that there would have been a single party professing to be a statesman, who would be prepared to contend that by the recent transactions there had been no infraction of the Treaty of Vienna. It was impossible to use stronger language than had been used in that treaty with reference to the republic of Cracow. It would seem, from that language, that there existed in its framer the greatest jealousy against the Three Powers interfering in the slightest degree with the nationality of Poland. In the third, the sixth, the ninth, and the tenth Articles of the Treaty of Cracow there was manifested the strongest jealousy against the interference of the Three Northern Powers with that nationality. In the 118th Article of the general Treaty of the Congress of Vienna, it was distinctly stated that the Treaty of Cracow should be considered as an integral portion of the general Treaty of Vienna; and it was expressly declared that it should have the same force as if it were inserted word for word in the general treaty. Now, the noble Lord the Member for Lynn had endeavoured to justify the conduct of these Three Powers by adducing instances of their previous infractions of the Treaty of Vienna at earlier periods. He had quoted the infractions of 1831, and also the infraction of the 9th Article by their occupation of Cracow in 1836. But so far from making out a case for subsequent violations, it seemed to him that such infractions only added to the criminality of the conduct of those Three Powers. And then, with respect to Belgium, the noble Lord had contended that England had been guilty of an infraction of the treaty in that respect; but that argument completely fell to the ground, for the noble Lord had himself admitted that the Three Northern Powers had been invited, on that occasion, to take a part in all the deliberations connected with the settlement of Belgium; that, in point of fact, those Powers had yielded, though very reluctantly it might be, to the conduct of England on that occasion. With regard to the pretext which had been put forth by the Three Great Powers as to the necessity of the incorporation of Cracow, he could do no more than refer to the protest of the noble Lord the Secretary of State for Foreign Affairs. That noble Lord, it seemed, had very properly ridiculed the idea of the Three Great Powers apprehending danger from the efforts of such a comparatively small place as Cracow. But the noble Lord the Member for the city of London (Lord J. Russell) had gone further; he had done more than insinuate, in guarded language, no doubt, but such as at all events suggested the idea, that in his opinion the late insurrection in Poland was by no means unpalatable to the Three Northern Powers. The noble Lord (Lord J. Russell) appeared to say that, in his opinion, it was in the power of Austria, or Russia, or Prussia, effectually to have prevented the late outrage in Cracow; but they purposely avoided interfering, so that they might furnish to themselves the pretext which had been suggested by the noble Lord in these words:—

> "I cannot but suspect, especially with regard to the latter part of these transactions, that it was the wish of the Three Powers to destroy the State of Cracow, or that at all events the disorganization that took place was not an unwelcome circumstance; that it was not altogether unpalatable to those Three Powers, for by that disorganization they hoped that they might able to say to themselves—'Cracow is in a state of anarchy, and no remedy remains to us but to destroy its nationality.'"

With reference to the transactions which had taken place in Gallicia, he thought it was impossible for any one who had watched them, not to see clearly that the Austrian Government had instigated the peasantry of Gallicia to murder their nobles. And he should like to hear the noble Lord the Minister for Foreign Affairs state what were his opinions on that subject. They had, at all events, seen that the thanks of the Austrian Government were forwarded to those who took part in those outrages. Now, he would ask, what were to be the consequences of this infraction of the Treaty of Vienna with regard to Cracow? Why, the obvious consequence would be, the creation of distrust amongst all the European Powers—to make every small Power in Europe feel that it had no sort of security against the great Powers, and to justify rebellion on the part of every class of discontented subjects. The result of the recent infraction would be to deprive all minor Powers of all confidence whatsoever in the authority of Government and the inclinations of the United Kingdom of Great Britain and Ireland with regard to the defence of those who were oppressed. What ought to have been the course of the noble Lord in the matter? He had not heard, but he hoped they should hear, that evening some reason assigned by the noble Lord for his not having fulfilled the promise which was given in 1836, that there should be a diplomatic agent sent from England to Cracow. He hoped that the noble Lord the Member for Newark, or some other hon. Gentleman who took an interest in this subject, would move for the correspondence which took place after that promise was made. He was firmly persuaded that if a diplomatic agent had been sent from England to Cracow, these transactions would not have occurred. But when these strange circumstances did come to pass, surely it was the duty of the British Government to have invited France to concur in expressing their sentiments as to the nationality of Poland. It was the duty of the English Government to have concurred with France in protesting against the threatened proceedings of the Three Powers, which would at least have had the effect of causing some delay, and in all probability would have prevented the incorporation of Cracow by the Three Northern Powers. But, unfortunately, at that very time the noble Lord thought it his duty to engage this country in a quarrel with France—a quarrel which was very near bringing the two countries into collision—a quarrel for which there did not appear any occasion; for he (Mr. O'Brien) had read the papers which had been presented to the House by the noble Lord, and he must say that he could not find in them any grounds for the imputation which the noble Lord had cast so freely, not only upon the Government, but upon the King of France, whom, as well as his Minister, M. Guizot, he charged with nothing less than perfidy in reference to the Spanish marriages. Reference was made in that correspondence to the interview that had taken place between the King of France and the Queen of England at the Chateau d'Eu; but he believed that no official record had been kept of those proceedings; no formal engagement, it appeared, was entered into on the subject of the marriages of the Queen of Spain and her sister; and he therefore thought that the noble Lord had acted anything but a prudent part in creating the quarrel which he had between the British Government and that of France. The noble Lord had charged the King of the French with having violated the Treaty of Utrecht in reference to the Spanish marriages; but on that point also, he (Mr. O'Brien) did not think that the noble Lord had laid before the House or the country any grounds for making such a charge. He therefore did not think that the noble Lord was justified in making the formal protest which he had preferred against these marriages. He did not think that England had any right whatever to interfere with the Spanish marriages; and he therefore exceedingly regretted the course which the noble Lord (Viscount Palmerston) had thought it his duty to pursue in reference to them. Now, with regard to the argument which had been used by the noble Lord the Member for the city of London—and he must express the great astonishment with which he heard that noble Lord, above all others in that House, make use of it—and the right hon. Baronet the Member for Tamworth (Sir R. Peel), namely, that it was beyond the peculiar province of the House of Commons to inquire whether the stipulations on which depended the future prosperity of the country, had been broken or not; he thought it was, above all, the duty of that House to inquire into such matters, and to protest against any injustice exercised by any foreign Powers with regard to countries which, in conjunction with England, they were bound to protect. And whatever might be said by the right hon. Baronet the Member for Tamworth with respect to the imbecility of the proceedings of the French Chambers with regard to its annual protest against the infraction of the Treaty of Vienna with regard to the nationality of Poland, he must say that in his opinion the French Chambers by such proceedings had done honour to themselves. He believed that their annual declaration to the effect that they could not acquiesce in the extinction of the nationality of Poland, had a most salutary effect; that it held out to the oppressors of Poland that the time must come when France, united, he trusted, with Great Britain, would have an opportunity of inflicting a just retribution upon the head of every oppressor; and he trusted that it would re-echo that sentiment pronounced by a great French statesman, that "the nationality of Poland is imperishable."

Mr. BICKHAM ESCOTT rose for the purpose of supporting the resolutions of the hon. Member for Montrose. It appeared to him that there were two questions before the House. The one question was, whether or not that House ought to affirm the first resolution of the hon. Member, for the purpose of adding its condemnation to that which had been already pronounced by the Foreign Secretary, and by the Speech which Her Majesty delivered before the Houses of Parliament on the first night of the Session, as to the flagrant violation which had been made by the three great European Powers. The second question was, whether, after the violation of that treaty, England ought to continue to pay a large sum of money to one of those Powers, which in the opinion of many was contingent upon the observance of that treaty. Now, with respect to the first of these questions, he would be content to rest the vindication of this country upon the able, clear, and vigorous protest of the noble Lord the Secretary for Foreign Affairs, and upon the Speech delivered to both Houses of Parliament by Her Majesty, which, if, as had been observed in the course of this debate, Parliament did not expressly affirm by its vote, at all events neither House of Parliament durst at all dissent from. But with respect to the other question, he thought that they were bound not only to express an opinion, but that they should express their opinion much stronger than they otherwise would, after the speeches which had been delivered that evening by his right hon. Friend the Member for Bute (Mr. S. Wortley) and by the hon. Member for Weymouth (Mr. Christie). There were two parties to the second question: one party was the Government of Russia, who had to receive the money, if England paid it; and the other party were the people of England, from whom that payment was to come. And if the English Administration took upon themselves to pay this money, they would have to render an account to the people of England. And, first, his right hon. Friend the Member for Bute, in one of the most clear and convincing statements which he had ever heard delivered in that House, argued that though the money was not due, he, as a representative of the people, would vote for the payment of the money. Why, there was but one Member of that House who had taken a clear and straightforward view upon the question as to the payment of the money, and that was the noble Lord the Member for Lynn. If the noble Lord were correct in his interpretation of this treaty, and of the acts which the Government of Russia had committed, as he believed, in violation of it—if he were correct in saying that they were not bound to consult the Governments of England and France—then the noble Lord was quite right in saying that we ought to pay the money. But then an hon. Gentleman rose and said, "True it is that they have violated the treaty; and I will go further than that, and say, true it is that the payment of this money depends upon the observance of that treaty—that the observance of that treaty is a condition of the payment of this money; and though the treaty has been violated by the party who is to receive the money, nevertheless I shall vote for the payment to them of the money." Now, that was the course taken by the right hon. Member for Bute. But there were other speeches to which he would briefly advert; indeed, there was a preliminary matter to which he wished to refer, and that was the grave constitutional question to be settled by the noble Lord the Member for London and the right hon. Gentleman the Member for Tamworth, which had just been alluded to by the hon. Gentleman the Member for Limerick (Mr. Smith O'Brien), namely, whether or not the House of Commons—the poor Commons of England!—were competent to discuss a question relating to the foreign affairs of this country. He did not apprehend, however, that it would be necessary for him to enter at any length into that question; for no sooner had the noble Lord told the House, that, as the representatives of the people, they had no right to discuss the foreign affairs of the empire, than he followed up that declaration by a vindication of the powers of Parliament in a very extraordinary manner: for the noble Lord proceeded to argue with the House of Commons for arguing the question. And first of all, the noble Lord told them that they had no right to debate this question, and then he argued with them for an hour and a half to show that the money was still to be paid to Russia. But how the noble Lord made out that position, he could not understand, although he never listened to the noble Lord on any occasion without admiration of the adroitness and tact with which he conducted great questions; and not only that, but the exalted sentiments and the beautiful language in which he expressed himself. But in listening to that speech, all that he could find in his argument was this—that first having made a most decisive proof of the violation of the treaty by the Three Powers, the remaining part of his speech militated against his opening arguments, as had been the case with the hon. Member for Bute that evening. The noble Lord laid down three propositions. The noble Lord first told them that the payment of this money depended upon the due observance of the arrangements entered into by the Treaty of Vienna. He next told them that as regarded the recent incorporation of Cracow, the Government of this country was unanimous in their opinions as to its being a grievous violation of the Treaty of Vienna; and then the noble Lord followed up that statement by saying, that though the Treaty of Vienna had been violated, though Russia was to be denounced for the part which she had taken in that violation, and though the payment of this money depended upon the observance of this treaty, which she had broken, yet that we should continue to pay this money to Russia; and if there were any difference between the positions taken by the noble Lord and the hon. Member for Bute, he thought that those of the hon. Member for Bute were the more correct. He thought that the hon. Member had said there were two conditions or considerations in reference to this question—first, as to the party who had to pay this money; and, second, as to the conduct of the individuals who had to receive it; that it fact it was not due unless they performed the conditions connected with the treaty. What he wanted the hon. Member to do was, to go still further, and show that, although in the protest delivered by the Minister for Foreign Affairs—though, in the Speech delivered from the Throne by Her Majesty—it had been declared that a treaty had been broken, yet an Administration, responsible to a popular House of Commons, had a right to pass a large sum of money to a foreign Power, who was only entitled to receive it as long as it faithfully observed the conditions of that treaty. If the money was not due, why then should they pay it? What Minister of England had therefore been so bold as to continue to pay to a foreign Power a large sum of money which was not due, and which he was not justified in paying? A Minister doing so would be guilty of a gross violation of the trust reposed in him. But he was about to allude to the speech of the First Minister of the Crown. That noble Lord had informed the House of Commons, that though it was true that they might refuse to pay this money, yet their discontinuing to pay would not be consistent with the dignified course which the representatives of England should take on such questions. The hon. Member for Weymouth had said that England would manifest great meanness in refusing to pay this money. If the money were due, *cadet quæstio;* but if it was not, he (Mr. Escott) thought that it would be far greater meanness on the part of the House of Commons to comply with an unjust demand in paying it. There could be nothing meaner than the payment of an unjust demand to a foreign Power from a servile fear. That, indeed, would be the very consummation of meanness in an individual; and he should wish to hear any hon. Gentleman rise up in that House and contend that it would not be meanness on the part of the House of Commons. He would wish to be informed how it was competent to a Minister of this country to pay this money, under such circumstances, to a foreign Power—to subsidise Russia against the faith of treaties without any Parliamentary sanction. That was the case as laid down by the noble Lord the First Minister of the Crown; and he was then followed in his arguments by the right hon. Baronet the Member for Tamworth. And how did he follow him? The right hon. Gentleman quoted to the House the Act of 1815, under which this money was paid. The Duke of Wellington said this Treaty of Vienna was a master-stroke of diplomacy on the part of Lord Castlereagh, for Russia had been tied down to the observance of that treaty by a pecuniary obligation. But it appeared that, though the treaty was violated, the obligation was to be valid. If the demand of Russia was just, pay it; but if unjust, as the noble Lord at the head of the Government had gone so far to prove, resist it. He could understand the argument of the noble Lord the Member for Lynn, who, in a bold and straightforward manner, declared that the Three Powers had a right to destroy the independence of Cracow; but he confessed he was at a loss to comprehend that of the noble Lord the Member for the city of London, who proved that the treaty had been violated, and the protest of England disregarded, but yet would vote against the resolutions. In his opinion this was a great constitutional question, and one which the people of England ought to take up. The late Minister quitted office, not in consequence of his great and liberal schemes, which were calculated to benefit the country, but because, in an evil day, yielding to bad counsel, he had laid his hand upon the liberties of a portion of the United Kingdom. The House of Commons, on that occasion, defeated the measure, and unseated the Minister. The noble Lord succeeded, and finding that that arbitrary policy would not be sanctioned, cast aside the weapons of oppression, and stood forward the independent Minister of this great country, proving the truth of the old adage, that a man's best friends were not often found among his servile followers, and that one's bitterest enemies were often in his own household.

Mr. SMYTHE said: Sir, I, for one, should be most reluctant to vote against the first resolution of the hon. Member for Montrose, if it was not for its connexion with the succeeding resolutions. It is not my intention, in the few words I purpose offering to the House, to dwell upon the last of those resolutions, which is a proposition to suspend the payment of the Russo-Dutch Loan. That portion of the subject seems to me to have been so entirely exhausted in the masterly and most effective speech of the hon. Baronet the Member for Southwark (Sir W. Molesworth), that I think it will scarcely be possible for any hon. Gentleman to uphold the opinion that, even as a mere matter of mercantile fairness, we can refuse the responsibility and obligation of this debt. Although, however, I venture to entertain this opinion, and to dissent from his particular conclusions, I am bound at the same time to tender my individual thanks to the hon. Member for Montrose, for having brought the general question before the House. I do so with much diffidence, and with some misgivings, because I know that the noble Lord the First Minister of the Crown has laid it down with all that gravity which is becoming a great constitutional authority, that discussions upon matters like these, involving points of intricate foreign policy, are seldom of any practical advantage. The noble Lord illustrated this remark by the mention of those annual protests in favour of Polish nationality —to use the French proverb, mere sword-thrusts in the water—in which the French Chambers have delighted to indulge. It is impossible not to feel the value of the precedent, and the warning of the example. It is impossible not to remember how little has been done by all the declamation of French sympathy. It is impossible for some of us, at least, not to recall that truth which was wrung from the dying agonies of Poland, and which has since passed into a proverb in the language of that unhappy country, "God is too high, and France too far." But if France is too far, England, morally, politically, as well as geographically, is further still. We have not, like France, been connected by court and family alliances, nor united by that long confraternity, now of triumph and now of defeat, which dates from the reign of the Valois, and comes down to the days of Napoleon. If ever one country was bound to another, it was France to Poland; if ever one country suffered for another, it was Poland for France; if ever one country was abandoned by another, it was Poland by France. It is not only like the speech of the hon. Baronet the Member for Radnorshire (Sir J. Walsh), a chapter in contemporary history; it is also the old story of Athens and Platæa. But if England has not the same interest as France in this Polish question, I nevertheless think, humbly, and with all deference to the opinion of the noble Lord, that this is no unmeet question for the consideration of the House. If I apprehend correctly the spirit of the resolutions submitted by the hon. Member for Montrose, he seeks not to interfere with nor to embarrass the Executive; his object is to corroborate, to confirm, to endorse, as the noble Lord (Lord Sandon) who seconded him, stated, to sanction and to give further effect to the protest of the noble Lord the Secretary for Foreign Affairs; and he more especially desires that this corroboration should be given by the House now that that protest has been disregarded and neglected. And though it be true that the noble Lord the Member for London has brought the whole weight of his authority to the assertion, that this is a subject not immediately within the province of the House of Commons, another authority—I mean Mr. Hallam—scarcely second to the noble Lord, has said, in a noble image, that the pulse of Europe beats according to the impulse it receives from the Parliament of England. It is for this reason I think we should be wanting in our duty, we should be ill representing the feelings of the people of this country, if we failed now to express, not, perhaps, our indignation, but at least our sorrow and our regret, at so inauspicious and so untoward an event. If anything, too, could enhance that sorrow and regret at the act itself, it would undoubtedly be the manner in which it has been defended, and the men by whom it is defended. It is surely a melancholy thought that that Prince Metternich, whose name for half a century has become a synonyme for moderation, whose policy of wise adjustment and honourable compromise has been stamped upon our age, should, at the close of his long and illustrious career, have suffered himself to be connected with so immoderate a plunder, with so Cadmæan a conquest, with an acquisition where the gain was so trivial, and the loss so immeasurable—where the gain is a geographical atom, and the loss is the unsettlement of Europe. The unsettlement of Europe! For, there is not one of the conditions, not one of the arrangements, not one of the stipulations, which date from the great covenant of 1815—not the Germanic Confederation itself, not the Italian dominions of the house of Austria, not Venice, not the Milanese, not Sardinia, not Genoa, not Prussia, who gained more by peace than she had ever gained by war, not the kingdoms of Hanover and the Netherlands—there is not one of the arrangements dating from that period, which was one whit more sacred than the independence of Cracow. Nay, as if in prescience that this small State would become the battle-field between might and right, between liberty and force, its independence and integrity are guaranteed by a greater number of articles than any other stipulation of the general treaty. One word now about the manner. Was there ever anything more rude, more abrupt, more unlike diplomatic usage, more unlike Prince Metternich, than the mode in which this violence was consummated? On the 17th of April a despatch from Prince Metternich to Count Dietrichstein was communicated to Lord Aberdeen, which, while full of no unjust nor ill-founded alarms about the Polish emigration, gave no alarm with regard to Cracow. From the 17th of April to the 6th of November, the Three Powers gave no sign. On the 6th of November, Count Dietrichstein communicated the intentions of the Three Powers to Lord Palmerston, and on the 16th of November, Cracow had ceased to exist. "*Finis Poloniæ*," the words of Kosciusko, had become a prophecy. And what is the excuse for all this subdolous and precipitate rapacity? From first to last, from the despatch of the 6th of November down to the speech of the noble Lord the Member for Lynn, I can find nothing but a repetition in every shape and form and way and phrase of the accusation that Cracow had become a focus of conspiracy. I think, Sir, in advancing this charge, the Three Powers have overproved their case. If Cracow, to quote Prince Metternich, had become a den of moral and material bucaniers—if it was so full of misery—if it was the resort of every kind of brigandage, the question naturally arises, what were the Three Powers about? Why did they not sooner interfere to arrest this depravity and to prevent this decay? What otherwise are we to understand by the word "protectorate?" Would it, for example, after thirty years had elapsed since the treaty was signed, be endured if we were now to come forward, in the face of Europe, and to say that under our protectorate the Ionian Islands had become a den of moral bucaniers, that they were full of misery, that they were the retreat of every kind of brigandage; and, that, therefore, their liberties were to be extinguished? And yet, Sir, that would not be a more monstrous violation of the Treaty of Paris of 1815, than this is a violation of the Treaty of Vienna. Remember the promises of the period: remember the promises and the proclamations of the Emperor Alexander. "This city," said the Czar of Cracow, "under the United Powers shall enjoy tranquillity and happiness, by consecrating itself to the arts and sciences, industry and commerce. It shall remain as the monument of a magnanimous policy which has placed this liberty on the very spot where the ashes of the best among your sovereigns repose." Magnanimous policy! Well, Sir, of the two—between the magnanimous policy which I will not say connived at, but, at the end of thirty years, permitted misery, permitted ruin, permitted those results from which the charge of Prince Metternich is constructed, and the mercy of decision which annihilated Cracow, and for which the noble Lord (Lord G. Bentinck) has thanked the Three Powers—I am almost inclined with him to prefer the latter. But, then, I will say that the two combined—the magnanimous policy and the mercy of decision, have no parallel in history—not even in the example furnished in that "Prince" whose precepts, I am afraid, other princes have consulted. It is only in fable we can look for a precedent. It is the legend of Semiramis, who suckled Ninus and then debauched him. The Three Powers suckled Cracow, and then debauched it; and then they went further than Semiramis, for they destroyed it. And why did they destroy it? If the reason has not been declared in the debate, no one can be ignorant of it. It was not the events in Cracow which led to the dissolution of that republic; it was events in London, at Paris, and Madrid. History will record the fact, because history will also record all the oppressions, the penalties, and persecutions, undergone by this unfortunate hostage in the hands of absolutism, whenever a cloud or a misunderstanding arose between the two great constitutional Governments of the world. For example, at the close of 1835 it was notorious that differences between France and England existed on the subject of Spain. On the 18th of March, 1836, those differences came to a crisis in M. Thiers' despatch to M. Sebastiani, formally refusing intervention on the part of France. But the Three Powers had been beforehand with their prey. One month before, Cracow was already occupied by troops, its neutrality violated, and its independence, its rights, and liberties outraged and destroyed. With these lights, then, and these reminiscences, I believe that if the *entente cordiale* between the two great constitutional countries of the world had existed, the independence of Cracow would have been maintained. And I believe not the less that the Three Powers would have obtained their legitimate object—the security of their own territories—but in a different manner. *Multa fiunt eadem sed aliter.* I will shortly explain my meaning. The art of government at the expense of the governed was first taught, if we are to believe the ancients, in a stable by a centaur; that is, by a cross between a man and a horse. The interpretation of the myth is this: that where address cannot be employed, force must be applied—where you cannot use your hands, you must use your hoofs. Well, Sir, if the *entente cordiale* had been in force, I believe that the Three Powers would have used their hands, instead of using their hoofs, in the manner which not unnaturally has enlisted the sympathies of the noble Lord the Member for King's Lynn. The inference is obvious. I would venture, with all respect, to press it upon the noble Lord the Member for Tiverton, to renew that *entente cordiale*, and to resume that intimate alliance. I would implore him to do so, in the interests of public order and European peace, not only in prevention of acts such as these, but in prevention of that democratic reaction which is smouldering wherever there has been, or is, misgovernment; which flashed forth the other day, the whole length of the Appennines from Genoa to Calabria; and which may some day blaze forth into more serious demonstrations. The knowledge of a renewal of friendship between the two great Constitutional Powers in the van of civilization would be, at any rate, a better protest against this untoward event, than the refusal to pay the interest of the Russo-Dutch Loan. If the Three Powers in their mimetic immorality have annexed, that is no reason why England should repudiate. I agree with the noble Lord, that it is of nobler and fairer example to say to them, "You have broken a solemn compact; we will respect a doubtful engagement. You have broken the most important treaty universal Europe ever ratified; we will respect a constructive understanding, on the merits and obligations of which even publicists have differed."

Mr. DISRAELI: Sir, in any observations I have to make on this question, I can only appeal to the reason of the House, and not to its passion. I cannot pretend, on the usual subjects that engage our attention, when domestic interests and municipal rights are brought before our deliberation, that if, with the indulgence of this assembly, I should venture to offer any opinion, I would be free from that passion, or exempt from that prejudice, which, I should think, the most impartial on such occasions might confess they were subject to. But on questions like the present, rarely brought before this House—and I am not inclined to maintain that that rarity is not wise and prudent—on questions of this kind, when the policy of States and the prosperity of nations may depend on our vote and on our decision, I can at least claim to myself what I hope the vast majority of us will always cherish, that we can address ourselves to questions of external policy with only one sentiment, and only one test, viz., how far the question under our discussion concerns the interest and honour of our country. I know that it is not difficult upon a question like the present to indulge in all the blaze of a philanthropy easily illumined. I am equally aware, following a very contrary sentiment, that by opposing the expression of what you may consider feelings of a somewhat morbid character, you may not escape the imputation of being the champion of arbitrary principles. I do not wish to address the House under the influence of either of these sentiments. I wish to speak to a question of public law. I understand that a treaty of great importance has been violated. It is in my opinion a treaty which it is the interest of this country should be observed; I believe the interest of this country is bound up with the observation of that treaty; and I will not lightly and without consideration admit that any treaty has been violated which I believe it is the interest of England should be observed. And, Sir, let me address myself very strictly to the question before us. I think it is really of importance, after what has occurred during this somewhat unexpectedly prolonged debate, that we should agree as to what is not the subject before us at the present moment. I apprehend that the subject which is not before us is the policy or impolicy of the partition of Poland; because I have listened to many arguments most ingenious, and to some bursts of eloquence most fervent, which, if they had been expressed and uttered in 1772, would have redounded to the credit of this House, and no doubt produced an effect in Europe. But the independence of Poland has ceased. I regret the downfal of Poland, mainly because I think it was for the interest of England that Poland should exist as an independent country. I can easily understand why we are assured by the hon. Member for Pontefract (Mr. M. Milnes), or why it is intimated to us by the hon. Member for Canterbury (Mr. Smythe), that there is still a more ardent feeling in favour of the lost Poles in Paris than in London, because, though it was no doubt an English, it was still more a French, interest that Poland should remain an independent State. I may be permitted to remind the House that if there be any assembly in Europe which should be the last to criticise the conduct of the Three Powers with respect to Poland, it is the Parliament of England. Before the partition of Poland took place, the Minister of England, the Secretary of State who then administered the Foreign Affairs of the country, was perfectly aware of what was contemplated. He was in communication with the Government of France, and France offered to unite with England to prevent that partition. That Minister was a man second to none of those who have regulated the affairs of this nation in his knowledge of the Continent; and what did the Parliament do? On the very eve of the partition of Poland they turned that Minister out of office, and Poland was partitioned. The very same France which offered to combine with England to prevent that partition, became shortly after our most inveterate foe in the affairs of the American colonies; and the very same vote of the House of Commons occasioned the partition of Poland, and eventually the loss of her colonies to England. If it be true—and surely no one will doubt that it is—that the question before us is not the policy or the impolicy of partitioning Poland, let us now attempt to ascertain what is really and exactly, not to say severely, the question we have to decide upon. It is said that a very important treaty has been violated. It appears that at the commencement of the struggle, which led to this very treaty, the city of Cracow was an Austrian town. It appears, also, that during the most important transactions that occurred in the struggle which led to that treaty, this Austrian town became a Saxon town; and, that subsequently the town which had originally belonged to Austria, and then fell to Saxony, once more became a Polish and also a protected town. From the moment it became a protected town, it had been at various periods occupied by the military forces of the protecting Powers; its constitution had been modified, had been changed, and the original privileges of the protecting Powers (which extended, under the conditions of its protection, even to an interference with its police), had been completely and amply exercised; and the result is, that after a period of rather more than half a century, this town has become once more an Austrian town. That is really the historic statement of the facts to which the treaty refers; it has nothing whatever to do with the partition of Poland. It is very easy for Gentlemen to rise in the House and talk, like the hon. Member for Bolton (Dr. Bowring), of the ruin of 20,000,000 of their fellow-creatures. Who are those 20,000,000? Do they live in Cracow? Do they live in any of the suburbs of Cracow? Will he tell us that the rights of these 20,000,000 are defended by the Treaty of Vienna? Is that their title-deed to political independence, or to social freedom? Yet this is the position assumed by orators, not only in this House, but in other places. Take away this question before us from the universal sympathy and the general association with the cause of Poland, and it will soon assume a very different character. It is now eighty years since Poland was partitioned—more than one-fourth of the period which the historian has recognised as the space which comprises what is called modern history. Many events have taken place since then. During that time England has lost her colonies, France has been revolutionised, the Continent has been conquered, Ireland has been united to England. Events have occurred subsequently to these great affairs, and at a more recent period, which are still fresh in the minds of all present, and to which some of us owe our seats in the very assembly which now arrogates to itself the right to decide upon the policy of foreign nations. Who can now deny that the spoliation of Poland has ceased to be a political catastrophe, and must be regarded as an historical fact? It seems that two of the greatest Powers in Europe have protested there has been a violation of the important treaty, which is the basis of the diplomatic settlement of Europe, by the termination of the *quasi* independent existence of this Austrian-Polish town—England and France, by the mouths of two most able Ministers, have protested that there has been a violation, by the Three Continental Powers, of that treaty, which shakes the title-deeds of Europe; and a Member of the House of Commons of England, responding to that protest, calls on the House to concur with and confirm it; and, taking advantage of certain other treaties, to punish one of the alleged violators of this treaty. I hope the House will admit I have stated the case fairly. On the first night of the Session, although there was a general feeling in the House—at least on the side on which I sit—not to enter into any discussion on foreign affairs; and though I thought, as it seems mistakenly, that we were not at all bound by the words of the Address in answer to the Speech from the Throne—I still, from some observations that unexpectedly fell from the First Minister, felt called upon to warn the House not too suddenly to admit that there had been a manifest violation of the treaty before us. I did not then speak as to a question of policy, but of public law. I thought we were urged precipitately to admit there had been a violation of a treaty which it was the interest of this country should be observed, and which I believed had not been impugned. I always understood, that whatever might be the language of the Address in reply to the Speech from the Throne, the House was not pledged by it, however decided the words in which it was couched; and Her Majesty's Government did not attempt to pledge the House on that occasion, any more than on prior occasions, that there had been a manifest violation of the Treaty of Vienna; all the House did, was "to thank Her Majesty for informing the House there had been a violation of the treaty." I thought we were perfectly safe then, in agreeing to the Address; and I was, therefore, very much astonished when the First Lord of the Treasury rose, and, adverting to the affair of Cracow, said, "That Her Majesty, in her Speech, had declared, and no man living could doubt, there had been a manifest violation of the Treaty of Vienna." I thought this rather suspicious on the part of the noble Lord. What has been the result? The hon. Member for the University of Oxford (Sir R. Inglis), a great authority on Parliamentary forms, has risen during this debate, and said, that every Gentleman in the House was pledged by the Answer to the Speech from the Throne to the opinion that there had been a violation of the Treaty of Vienna. And the noble Lord (Lord J. Russell), too, in a speech which, I must be permitted to say, was more characterized by eloquent declamation than by its acquaintance with public law or the stipulations of treaties, has also declared, that the House had already by its silence on that first night, pronounced its acquiescence with Her Majesty's Government. I appeal to the House, that under any circumstances, silence could not have been acquiescence; but that under the circumstances of this case in particular, and looking to the language of the Address, if all the Members had been silent, if no speech had been made, and if no division had taken place, not a human being would have been bound by the language of the Speech from the Throne. Sir, I am decidedly of opinion—and I lay it down without equivocation or reserve as a principle of public law, which no one can, as I believe, refute—that the violation of a particular treaty, inserted in a general treaty, is not a violation of that general treaty. I put the principle as broadly as words will permit me, because I am unaware of any exception to this principle, which is one of very great importance. I reminded the House, on a former occasion, in a suggestive, not in a dogmatical spirit, to look well to the case of the Peace of Westphalia, which we have since been told by the noble Lord the Member for Hertford (Viscount Mahon) is to be regarded as a model for treaties. I reminded the House that a solemn treaty, the Treaty of Osnabruck, had been inserted in the general Treaty of Munster (the instrument which contained the general stipulations of the Peace of Westphalia)—that the inserted treaty concluded with one of the most remarkable guarantees in diplomatic records—that the guarantee was not observed—that the parties to the inserted treaty applied to the parties signatory to the general treaty, and that it was decided, after great discussion, and after it had been referred to the first jurists in Europe, that a violation of an inserted treaty was not a violation of the general treaty. The case I refer to, was almost similar to that now before us. The free cities of Germany had been guaranteed by the Treaty of Osnabruck certain political rights. The Treaty of Osnabruck was inserted in the Treaty of Munster, and eventually the free cities of Germany were deprived of those political rights. They appealed to the Treaty of Munster, and called upon the parties signatory to it—the great Powers of Europe—to do them right and fulfil the guarantee. The great Powers did not deny the guarantee; but it was decided after most weighty arguments, by men second to none who interfered in the great transactions of the Treaty of Vienna, that the violation of the particular treaty was not a violation of the general treaty. I say it was so decided by men second to none of those who were engaged in the famous settlement of 1815, because I am sure that even the great Chancellor of Austria would scarcely consider himself superior to Oxenstiern, nor would M. de Talleyrand consider it an insult to be compared for dexterity or tact to Cardinal Mazarin; yet, when these two great statesmen, equally interested in contrary decisions, because Sweden was exercising all her power to secure Germany, and France was opposed to her in that object, were called on for their opinion, they decided that the violation of an inserted treaty was not a violation of the general treaty of a congress. I will not put the case before you encumbered with precedents, because a precedent is important and entitled to weight in proportion to the greatness of the circumstances with which it treats, of the transactions to which it refers, and of the men who were concerned in it, and not in proportion to the number of similar cases. Two or three precedents of such a character, are worth a hundred ingeniously twisted instances. The case is one of public law, so clear that I doubt if any man in this House, certainly not any Member of the present or of the late Government, can oppose it, for I will show you that with a due reverence for the practice of the past, they have scrupulously, discreetly, and wisely always followed the course which I have now indicated. The congress which followed the Congress of Westphalia, was the Congress of Nimeguen; and the same question as to the efficacy of a particular treaty inserted in a general treaty was again raised, and decided upon by individuals not second in information as to the law of nations, or in authority, to either of those great men to whom I have already alluded. The King of Sweden (the King of Sweden being a German Prince), an ally of France, instigated by that Power, had attacked, during the war, the dominions of the Elector of Brandenburgh; and the congress taking place, the Elector refused to sign the peace until the Congress had secured him compensation for the attack of the King of Sweden upon his dominions; and he appealed to the Peace of Westphalia and to the King of France, the ally of the King of Sweden, as signatory to the general Treaty of Westphalia. The King of France at that time was Louis XIV., a man whose character is now better understood than it was, and who, though a King, was one of the grestest Ministers that ever lived; for he personally conducted the most important correspondence and transacted the most important affairs for a longer period than any Minister who ever ruled. He was, then, a great authority on this question. And what was his answer to the Elector of Brandenburg? "It is very true the King of Sweden has violated the Peace of Westphalia; but we cannot admit that a violation of an inserted treaty, is a violation of a general treaty. The guarantee to which you appeal is contained in an inserted treaty, and you must seek redress from the parties to that inserted treaty, viz., the German Diet, and not from the signatories of the general treaty." A menace from the King of France forced the Elector to accede to the Peace of Nimeguen. But you may say the King of France, though a very distinguished diplomatist, was also a very powerful sovereign, and he settled the affair in a summary manner. [An Hon. Member: He decided in his own favour.] I thank you for that cheer. True it is he agreed with Mazarin—with Oxenstiern—with all the great jurists of Europe—but it is very true also, as was observed, that he decided in his own favour. Now look to the precedent I now put before you—

look to the Congress which is the last to which I shall refer, but which contains upon this subject a precedent which is complete and unanswerable; which appeals indeed to your prejudices as well as your reason. For England was a party to this treaty, and a great English Monarch is the authority which I shall adduce: I mean the Treaty of Ryswick. At the Treaty of Ryswick, this very King, who you say took such a short way to decide public law—this Louis XIV. had to restore the Palatinate which he had conquered; and it was stipulated that the established religion of that State should be maintained. William III. of England—still a favourite Monarch in this House—was at the head of the Protestant interest, and was the great rival of Louis XIV. Now, it so happened that at the time of the stipulation the established religion of the Palatinate was Roman Catholic, for it had been established since the French conquest. All the Princes of Germany rose immediately, and said, "Is the Palatinate—the very birth-place of the Reformation the cradle of the Protestant religion—guaranteed by the Peace of Westphalia, to which the Kings of Europe are signatory, to become the seat of Romanism? Impossible! We call upon you all—we call on you the great Powers of Europe, who were signatories-in-chief to the Peace of Westphalia—that very peace which was made to secure the toleration and equal rights of the Protestant faith after a struggle of thirty years in favour of the principle of religious and civil liberty, and which has been guarded by guarantees so ample, to come forward and maintain our rights." What was the reply of the King of France? He told them that the Protestant religion and civil and religious liberty were secured by the Treaty of Osnabruck, and that it was only an included treaty in the great Peace of Westphalia. He told them that their only right was to appeal to the Diet of Germany; that the question was a domestic and municipal one; and that it had been decided that an inserted treaty touched only the signatories of that treaty, and not those of the general treaty. The question was referred to William III., and what did he say, the head of the Protestant interest? He said—"The public law of Europe for seventy years, which has been recognised by all statesmen, whether Papistical or Protestant, has decided that the violation of an inserted treaty is not a violation of the general treaty, and you cannot call upon the signatories of the general treaty to do any thing, but to undertake an office of friendly interposition, and to give evidence on questions of general intention and general interpretation." Such was the reply of the King of England; and I now stand up for the soundness of the principle which he propounded. It is in this aspect that I put the case to the House. I am well aware that a different view of the question from that which I adopt, would afford greater scope for declamation, and would probably enlist more popular favour. I know that my task is not an agreeable one; but after the allusions which have been made to the chance remarks which fell from me on the first day of the Session, I am sure you will do me the justice to admit, that it was not for me to shrink from establishing the principle which I then in a cursory manner adverted to. The right hon. Gentleman the Member for Tamworth, touching on this part of the question, indulged in a series of arguments which were characterized by his usual acuteness, but the immediate tendency of which I admit that I, for one, did not very clearly comprehend. His arguments, however, appeared to me, as far as I could judge of them, to resolve themselves into a question. I understood him to ask this question—"What is the use of declaring that the treaties annexed to the general Act of the Congress of Vienna have precisely the same force as if they had been inserted in the body of the general Act itself, if, in point of fact, we do not admit them to have precisely the same force? If they have not precisely the same force as if they were inserted in the general treaty, why say that they have?" Why, Sir, I never met, nor did I ever hear of, any human being who attempted to deny this. They have unquestionably precisely the same force as if they were inserted in the general Act; but the question at issue is, what does "precisely the same force" mean? This will still remain, though the right hon. Gentleman were to ask his old question a thousand times—a question which nobody is disposed to dispute. The real point is, what does "precisely the same force" mean? but it is a point, in respect of which I contend that there is not legally any doubt. It is a problem which has been long since decided; and so much doubt would not hang round it now, nor, indeed, round many other questions, if the noble Lord the Secretary for the Foreign Department would encourage the discussion of questions of foreign policy in this House, a little more than he appears inclined to do. It has always been held that if a particular treaty is inserted in a general treaty, it allows any signatory to the general treaty to be called on by any signatory of the particular treaty, in case that treaty is violated; but nobody pretends to say, not even the right hon. Gentleman himself, that in the present case any of the Powers who signed the treaty respecting Cracow, have called on England or France to interfere. Most assuredly Russia has not done so, neither has Austria nor has Prussia. Who calls upon you to interfere? Who appeals to you? What is your *locus standi* for interfering? I protest I cannot understand. But the right hon. Baronet maintained, that even if there were force in this objection, all that ground is cut from under our feet; for here, he said, are original covenants respecting Cracow and Poland in the general Act itself, totally independent of the inserted treaties. This is really the only apparently tenable ground for the Government protest. Let us see if its validity is anything more than colourable. I ask the right hon. Baronet, can he mention a single precedent in which, the general signatories having been called on to give their ratification, as they did in the case of the grand Treaty of Vienna to particular treaties, the same form has not been followed, as in the present instance? Can he deny that the general Act of the Treaty of Vienna is, in fact, a *recés*, and that it gives a summary of all the regulations antecedent to the general Act of Congress? Let him instance a single occasion—let him put his finger on a single precedent where the same form has not been pursued as in the present instance. The principle of law is clear. There is a general Act of Congress with several original treaties inserted, and a long series of covenants on the same subjects as those inserted treaties, couched in the same language, without the difference of even the dotting of a vowel. What is the rule of law on which he will decide when called upon to interpret such a treaty? Surely he must know that the principle has been long since settled, and that it is this—that for the interpretation he must look to the original instruments. The inserted treaty is the original and superior instrument, and the object of the repeated covenants is merely to bind the general signatories. I will not dwell further upon this point. [" Hear!"] It is very well for Gentlemen to cry "Hear, hear," and to indulge in impatient exclamations, who have just dropped in to give a ready vote after spending some hours at the Freemasons' Hall, where on the platform of a tavern they move resolutions which may provoke a war in Europe. Such Gentlemen are ready to prostitute the influence of the English Senate to guide the opinion of Europe; but I take leave to tell them, that unless their opinions are founded upon knowledge, and are expressed in more decorous language than some phrases I have been doomed to listen to here, they will be of little service to their clients, and will do little to maintain the honour and the credit of their country. But to revert to our dry argument. It has been settled that, when the superior instrument is before you, the repeated clauses are a mere recital; merely the machinery by which the signers of the general treaty are authorized to interpose in the settlement of any question which should arise under the particular treaty. I could refer to the long series of the *recés* of the German Diet for countless precedents vindicating these principles of law; but I will not venture again to appeal to the past. I will establish their justice by living witnesses—by the authority of statesmen now sitting in this House—I will establish it by the very instrument now under discussion; and I must say, that, amazed as some appear to be at the fate of Cracow, nothing has more amazed me than hearing the speech of the right hon. Gentleman, and reading of the protest of the noble Lord; because, I ask that right hon. Gentleman and that noble Lord (and the point has already been put, in the course of this debate, with a vigour of argument which all must acknowledge and admire)—how did they both act in the case of Belgium? What was the conduct, in the first instance, of the King of the Netherlands, when the disruption of his kingdom took place? To what instrument did he appeal? Not to the Treaty of Vienna, for that was not violated. According to your impression, he held his kingdom by the final act of the Congress of Vienna, which contained a stipulation for maintaining the integrity of his kingdom, in like manner as there was a stipulation respecting Cracow and the settlement of the other States of Europe. But those were stipulations merely quoted from the original instruments, and which were inserted and merely quoted, in order to authorize an interference on the part of the signers of the Treaty of Vienna, according to what had become the custom among nations. But the King of Holland, in support of his right, looked to the original treaty—the original instrument—to the inserted treaty, and he applied to a Government, at the head of which was one well versed and instructed in these affairs, for he had been our Minister at the Congress of Vienna, and had long before been concerned more than any living man with the affairs of Europe. With him was then associated in the Government a right hon. Gentleman, who, if not equal to his noble Colleague in his knowledge of Continental affairs, was peculiarly responsible to this House for the measures of his Government. And what did these two eminent statesmen do? The King of Holland appealed to the Powers that had made him, by a particular treaty, King of the Netherlands. Upon that appeal a conference was called—not upon an alleged violation of the Treaty of Vienna—called, with the sanction, if not with the advice of the right hon. Gentleman (Sir Robert Peel), and which advice was shortly afterwards followed by the sanction of the noble Lord (Lord Palmerston). Why, Sir, if you pursue that pregnant precedent, although I dare say hon. Gentlemen will not forget the Peace of Westphalia, to which the noble Lord the Member for Hertford (Viscount Mahon) has also referred; but if you pursue only that precedent which the right hon. Gentleman and the noble Lord have supplied in the case of Belgium, you will find an ample illustration of those principles which I have laid down, and which I should be surprised if any one should challenge. It was considered of the greatest importance that France should be present at that conference; but France was not a party to the original treaty. But it was remembered that she was a signatory to the general treaty, and as such she might be appealed to. She was appealed to; and, being called upon, discharged that duty, which for more than 200 years had been recognised as the peculiar function which devolves upon the signatories of general treaties, namely, that of undertaking a friendly interposition when invited to speak and give advice on the question of general intention and interpretation. It was under that view of the law of nations that France joined the conference. I very imperfectly intimated my impression as to the nature of that precedent the first night of this Session. It touched personally the right hon. Gentleman (Sir R. Peel), from the eminent post which he filled when that conference was held. My noble Friend the Member for Lynn (Lord G. Bentinck) referred to that precedent in his address during the present debate. The right hon. Gentleman rose soon after my noble Friend; but he never noticed that precedent—a precedent which no one can evade who pretends to influence this debate. I defy any man to treat this subject satisfactorily who does not meet that point; and yet the right hon. Gentleman, whose talent in debate is unrivalled, who can get up a case with admirable dexterity, made a speech which perhaps was too classical for the Freemasons' Tavern, but which really seemed to be inspired by all its spirit—and throughout that speech never met the case of Belgium. I ask the noble Lord whether he will meet it? I ask him whether he will deny his protocol, or whether he will have recourse to the archives of his office to prove how all the signatories of the general Treaty of Vienna were appealed to in the case of Belgium? Will he produce the secret despatch sent to Sweden; or the hurried appeal to Portugal; or the mysterious mission to Spain? Will he lay before us the counsel which was given to him by those European Powers when he called upon them to assist him at that conference, and who advised him in the agony of that trying occasion? I never heard the names of the Plenipotentiaries of those Powers. One remark fell from the hon. Member for Montrose (Mr. Hume), which ought not to pass unnoticed. That hon. Member said, that there never was a more unjust stipulation than that one in the Treaty of Vienna, by which Norway was separated from Denmark, and united to Sweden. Why, Sir, there is not a single syllable in the Treaty of Vienna about Norway or Sweden. The arrangement which united them was not even transacted at Vienna. And yet the hon. Gentleman who makes these statements is the authority on which we are to decide on the question before us—an authority, no doubt, ample for those hon. Gentlemen who have been speaking so earnestly at Freemasons' Hall, and from whom we may, perhaps, receive still further information upon this most interesting subject. The right hon. Gentleman (Sir R. Peel) has given us his exposition of what he considered to be the intention of the inserted treaties. He favoured us with his view, and, coming from so high a quarter, it is not to be considered as a mere opinion, but, of course, as an official statement. I should be sorry to misrepresent a word of what fell from the right hon. Gentleman; but I believe he said "that by the Treaty of Vienna, the Powers who signed that treaty meant that Cracow should be secured constitutional institutions, and be established as an example to its neighbours of a free and independent State." The right hon. Gentleman made that statement, and of course coming from him, I cannot contest it. Having no means of gaining information but such as I gather from books, and from the conversation I may stumble across, I confess I had no idea that at the great congress held for the settlement of the balance of power in Europe, it was projected to raise a sort of normal constitution—what may be called a model political farm for the instruction of Europe, and I suppose to prepare us for those constitutional arrangements which Prussia has at last accorded to her subjects. The right hon. Gentleman possesses information which I cannot share; therefore I cannot for a moment doubt, as he has informed us, that Lord Castlereagh, during the negotiations which took place at the Congress of Vienna, and chiefly by means of that correspondence which has been laid so unexpectedly before the House, offered, both on the part of Austria and Prussia, as well as of England, to the Emperor of Russia his advice that the nationality of Poland should be established, and its independence be revived. Now, I have read that correspondence, and I am bound frankly to confess I had mistaken its real meaning; for I am ashamed to own, that to me so transparent seemed the sarcasm, and so unequivocal the irony in which Lord Castlereagh pushed the *argumentum ad absurdum*, to show the folly of the position which the Emperor of Russia had taken up, that in my simplicity, I conceived it was merely a playful reproof when he said to Russia, "If these are your principles, and if you really wish to extend freedom to this country, whose interests you now appear so warmly to advocate, why not follow those principles out, and restore Poland to the nations of Europe?" But, as the right hon. Baronet assures us that this was a grave proposition on the part of Lord Castlereagh, and as the right hon. Gentleman was for a long time the Colleague of that noble Lord, and no doubt profited by his counsels, it is not for me to contest the accuracy of that statement; and in future, therefore, I shall always take care not to mistake a grave statement for satire, and never believe that such an instrument as irony is ever used in diplomatic correspondence. It is but fair to the right hon. Baronet to observe that, in attempting to establish his proposition, he also stated that at the period of the settlement of the affairs of Europe, great efforts were made to secure to Poland national institutions. I always understood the same thing. I always understood that there existed on the part of the then Emperor of Russia even a morbid determination to impress as much of nationality as he could upon Poland. I always understood that the Emperor of Russia was anxious to originate a modern kingdom of Poland; and that instead of Lord Castlereagh urging upon him the re-establishment of Polish nationality, the noble Lord looked with great suspicion upon the Emperor's efforts in that direction. The only reason I have for doubting the accuracy of the right hon. Baronet upon this point is, that we have been favoured in the course of the present debate with the opinions of another individual —a noble Lord, who, although he did not occupy a post of so exalted a nature in the Administration as the right hon. Baronet—for he was not in the Cabinet—did nevertheless fill an office of considerable importance in a department connected with these affairs. The noble Lord to whom I allude, the Member for Hertford, favoured us, in, I must say, a tone of statesman-like gravity which showed that his opinions were matured, with his reason for the creation of Cracow into a free and independent city. The noble Lord told us that one of the reasons why Cracow was made a free town was on the principle of compensation. It was thought, the noble Lord said, that some compensation was due to France for the loss of her empire, and also that some little compensation was owing to England for the loss of some of her principal colonies, which had been prized during the war. The sacrifices of France, the noble Lord observed, were very great; a vast amount of territory of which she had taken possession, was unexpectedly wrested from her grasp; and it was thought that the erection of Cracow into a free town with free institutions, might be accepted by France as compensation for her losses. At the first blush of the thing, this certainly does appear somewhat improbable. Fancy that great and gallant nation, led on by their revolutionary Imperator, crossing the Rhine and the Danube, the Niemen and the Po, occupying every country of Europe, and issuing their decrees from every capital—fancy them, in the full flow of triumph and of tribute, informed, that they would be driven back to their own Seine, and that the only metropolis that would remain to them would be their own, and upon sufferance — but yet that Europe, though retributive, would be equitable, if not just, and as a compensation for all these transcendent and unheard-of glories, would establish a free town with a territory of nineteen square miles, on a branch of the Vistula, under the protection of their conquerors — I think the French people would have been somewhat astonished. However, coming from the quarter it does—the noble Lord having been Under Secretary of State for Foreign Affairs, in the Administration of no less a person than the Duke of Wellington—it is impossible to doubt the accuracy of the statement; and all I hope is, that when we hear again a great authority in this House express his opinion, that it is extremely ridiculous for the French nation to make an annual protest about the independence of Poland, a Member of the French Chamber may not retort by saying that there is one thing more ridiculous still, and that is, for a Member of the House of Commons to explain the secret history of the Treaty of Vienna. I have always thought it of very great importance in discussing these affairs, that we should form our opinions of the conduct of Cabinets and individuals from public documents, such as treaties and protocols, and not listen to the sort of diplomatic gossip which has, I am sorry to say, prevailed too much in the present debate. One Gentleman rises and says, "It is very true, the Treaty of Vienna states this thing or that; but if you had the good fortune to be on as intimate terms as I am with Prince Metternich, for instance, you would know that the secret history of the treaty is quite the reverse." Another Gentleman says, "I was in Paris last week, and M. Guizot assured me that Prince Talleyrand told him so and so." These things, doubtless, produce a brilliant effect in debate; but I prefer sticking to the letter and spirit of treaties, and to the declarations of protocols. Those documents do not change, and are a certain guide to aid us in our investigations. It is in the power of any Gentleman to say that he has heard such and such things after dinner, which have entirely altered his opinion with respect to a question under the consideration of the House; but I will not offend against the rule which I have just laid down, and shall refer only to documents in the library, if not on the Table of the House, in order to ascertain what was the intention of the Allied Powers with respect to Cracow at the time of the framing of the Treaty of Vienna. The Emperor Alexander was in military occupation of the ancient duchy of Warsaw, and he naturally wished to keep it; whilst the other European Powers as naturally were afraid that its retention would make Russia too powerful. Austria had once possessed Cracow, and she wished to have it again; whilst Russia wanted to preserve it. In the end, it happened with Cracow as always happens in political affairs—it ended in a *mezzo termine.* Russia at first proposed that Cracow should be a protected town; that Thorn should also be one; and that Mayence should be a confederate garrison. Eventually Thorn became Prussian, Cracow became a protected town, and Mayence remains a confederate garrison. Prince Metternich warned Russia that Cracow would be a disturbing focus in that country; but the Emperor of Russia disregarded the warning, because he did not wish Cracow to belong to Austria; and, not being able to obtain it for himself, he preferred the middle course, which was adopted. In the end, thirty years' experience has proved the foresight of Prince Metternich. Cracow is again an Austrian town, and Russia has conceded to Austria the very point which was the subject of great and even hostile discussion at the Treaty of Vienna. In the face of this historical truth, which no man will venture to question, we are told that, in the suppression of Cracow, the last evidence of the nationality of Poland has disappeared; and the right hon. Gentleman the Member for Tamworth, with grave authority, states that Cracow was instituted as a normal farm of political liberty and constitutional government; whilst the noble Lord the Member for Hertford— once an Under Secretary of State — assures us that Cracow was intended as a compensation to France for the loss of her empire! These plausible and fantastic pretences are resorted to by Member after Member, who rise to speak upon a subject with respect to which they will not speak the truth. Gentlemen whose feelings are excited in favour of Poland, insist on mixing the fate of the protected city of Cracow—which they persist in calling a free and independent State—with that of Poland, which nearly eighty years ago had ceased to exist. And yet Gentlemen who have taken a great part in public affairs and diplomatic transactions, who are not only cognizant of the Treaty of Vienna, but responsible for it, still do not dare to oppose the morbid and factitious feeling which prevails on the subject in this assembly, and actually agree in stating, that at the general settlement of Europe, Cracow was left as the last homage to Poland, and that by its extinction a blow has been struck at the public liberties of Europe. Of all the insults offered to the unhappy country whose fate we all lament—of all the insults offered to the 20,000,000 of men of whom the hon. Member for Bolton has reminded us—none has ever been so flagrant by many degrees as the assumption that this protected city of Cracow was intended by the Powers of Europe as a homage to a great people. I know the disadvantage under which I labour in expressing my opinions on the present occasion, in consequence of the confusion of ideas arising from a great variety of causes which prevails upon this subject. If I could only divest this subject from the idea of the immortality of Poland, which exists in the mind of the hon. Member for the University of Oxford—if I could for a moment convince him that the inhabitants of Cracow are not the companions of Kosciusko—I should not despair of seeing him on this, as on all other subjects on which he takes that temperate, sagacious, and truly popular course in this country which distinguishes him, come to a just conclusion. But on this subject a dangerous excitement exercises its influence on him, and he never can believe, whilst we are arguing this question, that we are not, in fact, adding a fresh wound to the already defunct corpse of Poland. Now, I say this, that those are dangerous neighbours who surround him, not when he rises in this House, but when he transfers himself to the hustings of the tavern where the parties meet, not for the purpose of deliberation, not for the purpose of discussion, but to outrival each other in language most violent in statement, most exaggerated in counselling, and in policy most perilous. Let it be remembered that when they tell us of the fate of 20,000,000 of men, there must have been some good cause for a great and numerous race having met the doom which we all acknowledge they have encountered. We hear much of a great nation. The hon. Member for Bolton tells us of 20,000,000 of people; but it is not the number of the people which makes a great nation. A great nation is a nation which produces great men. It is not by millions of population that we prove the magnitude of mind; and when I hear of the infamous partition of Poland, although as an Englishman I regret a political event which, I think, was injurious to our country, I have no sympathy with the race which was partitioned. The gentlemen who go to Freemasons'-hall ought to be reminded of a fact which they always find it convenient to forget, that it is just 100 years ago that it was proposed to partition another empire. Now, I would just ask them to look to the circumstances under which that partition was proposed. There was an empire composed of many races, speaking many languages, governed by a young and interesting Princess, who had just succeeded to the thrones of her ancestors. Look at the proceedings that took place at Frankfort against Maria Theresa of Austria. Look at the arch conspirators that were there leagued together, at the head of whom was the King and the Republic of Poland. Why was not Austria partitioned? Why was not that young and interesting woman expelled from her throne? I will tell you. The faithful ally of England has been charged with oppression; but, I believe, if the occasion should again arise, and the hour of peril return, that a union of the people in support of the throne of that country would again astonish admiring Europe. At that time Austria was in a far more difficult situation than she could be now. Why was she not partitioned when Poland was at the head of the conspirators to destroy her? I speak of Austria, of that Austria which you revile in your hustings speeches, the statistics of which you are so familiar with, and the destiny of which you dare to announce. I speak of that faithful ally of England, who you tell me is in a state of political decrepitude, but who, I believe, will show that she has sources of power in the moment of exigency and of peril which will surprise Europe and baffle her adversaries. I say that Austria, at the time I speak of, was in a far more difficult position than she can be under any circumstances now. I ask, again, why was not Austria partitioned, when Poland was at the head of a conspiracy which would have severed her dominions? I ask you why Austria was able to preserve its ancient dynasty? I tell you, that she owed it to the great qualities, to the bravery, the religion, the honesty, of her population. It was the national character which saved Austria. She was not 20,000,000 then; and yet she baffled Prussia, she baffled France, she baffled Poland—that Poland which always comes before us as if she had been the victim of Europe, instead of having been a ready conspirator on every occasion and the pamperer of the lusts of an aristocracy which ultimately betrayed her. Yes, I say an aristocracy which ultimately betrayed her. Yes, I repeat an aristocracy which ultimately betrayed her; and I would ask you who sympathize with Poland—I would ask the hon. Member for Finsbury—whom I have often supported in Motions which showed a sympathy with the working population of England—I ask him why he thoughtlessly embraces the cause of Continental liberalism? Any man who really feels for the welfare of the millions, should hesitate before adopting that course; and, I confess, I cannot comprehend how any such can exhibit the zeal of the hon. Member for Finsbury on this occasion. What are the materials of the disturbing party in Europe? Is it the people? Is it the suffering people who raise the commotions which are constantly taking place in Italy, in Poland, and in Spain? Are they the parties to those movements? No. In every country it is the remnant of a subverted aristocracy—subverted, because they were false to their trust, and never placed themselves at the head of the people. It is all very well for you to come forward with an affectation of sympathy with popular rights; but the men who really caused the fall of Poland were not the great Powers whom you denounce in your hustings speeches. It was this order of men who never supported the people—under whom the people, indeed, were serfs, and not free men—who never showed any spirit except in opposing the clergy—a priesthood who, whatever their faults even at the worst periods of the eighteenth century, must always be more or less the friends of the multitude. This is the aristocracy about which you have raised a false cry, and appealed to morbid passions. I am told to-night by the hon. Gentleman the Member for Weymouth (Mr. Christie), in a speech, which was fully entitled to the attention of the House—I heard from him a passing tribute to the pseudo feelings of the politics of the day, and an expression of regret at the massacre of the nobles of Gallicia? Why, what can he know of the massacre of the nobles of Gallicia? From what newspaper did he cull the intelligence? Fron what active emissary of the coterie of expelled nobles did he gain the information? These are the people who circulate these stories. We have heard to-night a Sovereign absolutely denounced, because he thanked his people for vindicating his rights. I have never been in Gallicia; but there are few parts of Prussia and Austria that I have not found myself in; and I stake my credit for the fact, that whenever disturbances of this kind occur—whenever there are mysterious movements, impelled by committees in foreign capitals—in every case I have found that in those provinces the people rose against the subverted aristocracy; and, for my part, I have no hesitation in expressing a wish that all aristocracies who forget their trust may meet with the same fate. It is those movements which have agitated Europe. You doubt that assertion. I am unwilling, at this moment, to detain the House by details which will put the truth fairly before you; but here is a passage, as you will not take my word, which was written by a political economist—a friend of your own—and which you will find in a Parliamentary volume in the library—I mean Mr. M'Gregor. That gentleman says—

> "The portions of the ancient kingdom of Poland, viz., Posen and Gallicia, remain, with some additional privileges since 1815, under the respective Governments of Prussia and Austria. In both these the population, especially the peasantry, have derived great advantages by the—in every other respect—indefensible partition of Poland. In Russian Poland we must also admit the peasantry are in a far more easy condition than they were under independent Poland."

Now, what was their condition? I quote from a German work, written by a person who is also a liberal. Hear his description of the serfs, whom you are surprised to find defended their Government against the conspiracy of the aristocracy:—

> "In the year 1804, Alexander issued an imperial edict, which materially changed and improved the condition of the peasantry of Livonia and Esthonia. Courland remained in the same condition as before until 1817, when, by the praiseworthy exertions of the governor of the provinces, General Paulucci, Courland was also brought under the influence of the new law, and the Emperor received at Mitau the thaks of the nobility and peasantry of Courland."

The writer says—

> "The serfs were not, however, at once placed in the possession of their liberty; fourteen years of a state of transition were to prepare them for emancipation. The whole enslaved population of the country was divided into certain classes, according to ages, and every year a fourteenth of each class was emancipated. In 1831 it was completed. The year 1817 was taken as the normal year by which future years were to be governed—that is, the labours performed by the peasants for their masters during that year were set down in each estate as measures for their future labours. Inventories were to be taken of the stock, &c., which were to be delivered to the farmer (*i. e.* peasant) upon entering his farm, and delivered up upon the expiration of his lease. The punishment which the master might inflict, as well as the labour he might exact, were distinctly fixed, and tribunals of the peasants themselves were established. The condition of the peasant of the Baltic is this: he is no longer bound to the soil, but may, after half a year's notice given to his lord, quit the estate. In the same way his lord, by giving him half a year's notice, may force him to leave."

Are you surprised then that the men who found themselves no longer serfs, but placed in this improved condition, should adhere to the arbitrary constitution which you denounce, and shrink from the aristocratic conspirators whom you patronize? Do you believe that the population who are now governed by tribunals, formed by their own order and their own race, have any sympathies with the societies of Numa, because you choose to talk about them at Freemasons'-hall? With respect to this unfortunate affair of Cracow, I have never hesitated to express my opinion upon it. I have always thought that creating Cracow into a protected State was a great error; but that the extinction of it was a still greater one. But that you should come forward and pretend that the termination of this miserable *mezzo termine* is an insult to the public feeling of Europe; that it is an indication of arbitrary will on the part of our Allies; that it is a violation of solemn and important treaties which I, as far as I can, in this House, shall always support—because I believe them to be made for our interests, and tending to our interests—is one of those monstrous delusions that would require all the patriotic feelings for which this House is so distinguished, and all the statistical knowledge for which it is so renowned, to compensate for. Sir, you are, by indulging these feelings, endangering the peace of Europe. I am not ashamed to say that I hope there will be in future a good understanding between this country and France; though I was surprised to find the right hon. Gentlemen the Member for Tamworth deny that his Government had had that understanding with her, for I thought that was one of the best claims which the right hon Gentleman's Government had upon public confidence; but, unfortunately, it now appears that the right hon. Gentleman does not approve of these understandings. But I say with respect to France, that it is not becoming in England that her policy necessarily should depend upon an understanding with, or the implied assistance of, any Power. We know our own rights, and we ought to know the rights of others. There is only one point more I feel bound to notice, and that is the ground before the House upon which we are immediately called to vote. Because there is this implied or assumed violation of the Treaty of Vienna, the hon. Member for Montrose calls upon us to punish one of the assumed violators of that treaty by the non-payment of a sum of money which we should be bound to pay under other circumstances on account of the Russo-Dutch Loan. This question is not new to the House. In 1831 and 1832 the question was brought before you, and notwithstanding the Government of that day was pressed by what I must call a very undisciplined mob of supporters—slaves to the cry of a false economy—and notwithstanding also the Government was pressed by what I am bound to acknowledge was a not very scrupulous opposition, yet that Government had the courage and the wisdom to resist the appeal. The noble Lord opposite was then Secretary of State, and he displayed on that occasion that moral intrepidity which he has more than once exercised for the benefit of his country. Sir, he conducted himself in the counsel he gave, and with difficulty induced the House to adopt, like a faithful British Minister; and as I believe he is about to pursue a similar course to-night, I shall with pleasure give him my support. But I was surprised to find, on recently looking over the list of his supporters on that occasion, to observe the name of the hon. Member for Montrose. The hon. Member on that occasion gave a most hearty vote in favour of the payment of Russia. He says that he piques himself upon his feelings for pounds, shillings, and pence; I want to know then how he can reconcile it to his conscience to have allowed more than twelve years to have elapsed, and each and every year this payment to be made in silence. The hon. Gentleman has given an historical description of the motives which influenced him on that occasion. It was, indeed, a memorable occasion; it was the occasion when he sacrificed even his conscience to his country. It was then he voted that black was white, in order to secure, I will not say his party, but payment to the Emperor of Russia. That was his black speech, and this time he comes forward to recant in a white speech. But strange to say, after an interval of twelve years, when he has summoned up courage to make a white speech and give a white vote, I understand he is also about to show the white feather. Is he about to do penance for his juvenile error, or, now that he is father of the House, is he about to confess himself impotent to vindicate his refutation? This, then, is the Motion which you are called upon to pass; which is to aggravate Europe and insult the Sovereigns who are our allies. I know that a Gentleman who addressed us this evening referred to the moral influence that we exercise in Europe. That, I suppose, is the foundation of the interference of the hon. Gentleman. I, too, am as much aware, I trust, as any one here, of the peculiar characteristic of this House, that it does exercise an influence over those who are not our fellow-subjects, and in countries which do not acknowledge the sway of our Sovereign. But allow me to remind the House, that this moral influence, although its exercise may be one of our most inestimable functions—although it should be of our possessions the most proud, is a possession held by a very delicate and refined tenure. You cannot abuse it. You cannot increase its efficacy by Hudibrastic speeches and grotesque resolutions. If you assume to school the potentates and to guide the populations of Europe, it is, at least, expected of you that your counsels should be founded on knowledge; it, at least, is expected that they should be expressed in the decorous language of a dignified conciliation. Do this—fulfil the duties of your mission, and you may retain and exercise that moral influence of which you may well be proud; but when you do exercise it, let it be for the benefit of Europe, and the glory and reputation of your country.

VISCOUNT PALMERSTON: Sir, as I should be sorry to damp that disposition to discuss foreign matters which the hon. Gentleman who has just sat down wishes to encourage on the part of this House, I promise them that at this late hour, and after the length to which this debate has extended, I will confine myself as much as possible to the subject immediately under discussion. There are two points into which the whole subject divides itself: first of all comes the question whether the suppression of the State and city of Cracow has been a violation of the Treaty of Vienna; and, next, whether, under the circumstances of the case, that extinction absolves this country from the payment of the Russo-Dutch loan? Now, notwithstanding the ingenious argument which the House has just heard from the hon. Gentleman who spoke last, tending to show that the extinction of Cracow was no violation of the Treaty of Vienna, I think I shall have no difficulty in satisfying the House that the opinion which was expressed by Her Majesty in the Speech from the Throne, and which is partaken in, I believe, by every body almost in this House except the hon. Gentleman who has just sat down, and the noble Lord who sits near him, is correct, and that that extinction of the State and city of Cracow was a violation of the Treaty of Vienna. The hon. Gentleman has gone into a very ingenious argument to show, by reference to very ancient transactions in Europe, fortifying his positions by great authorities, that a treaty inserted in another does not necessarily bind the parties between whom that latter treaty is made. Sir, I can concede to the hon. Gentleman all that he contended for on this point, and the ground I take will in no degree be injured by that concession; I concede to the hon. Gentleman, then, that if a treaty is inserted in another treaty between two parties, it is not necessarily binding on the parties to the second treaty. The example he adduced went to the question, whether parties signing a treaty in which another was included, were, or were not, bound by the guarantee contained in the inserted treaty? Now, I am ready to acknowledge that the position of the hon. Gentleman in that respect is indisputable; I would go further, and acknowledge that in a single treaty to which several parties were guarantees, the failure of any one party to execute his guarantee, absolves the other parties from the obligations that they contracted by that treaty. But that is not the question. The question is not whether England and France are bound by any guarantee to take steps in consequence of the extinction of Cracow. The question is not whether, as Cracow was constituted a free State, we are bound, but whether we have a right to object to the extinction of it? The question is, whether there has been an express violation of the articles of the Treaty of Vienna?—not whether, in consequence of that violation, it is binding on the parties to that treaty to take steps to enforce it? Now, I put aside anything which may turn upon the question of insertion, or whether articles annexed to a treaty are equivalent to an insertion in the treaty itself; because, although in the present treaty the stipulations which were entered into by Prussia, Austria, and Russia, relating to the city of Cracow, were annexed to the Treaty of Vienna, and although the 118th Article of that Treaty declared that they should have the same force as if they were integral parts of the treaty, yet, fortunately for the argument for which I contend, it is wholly unnecessary to rely on the 118th Article, because the 6th and 7th Articles of the Treaty itself contain everything that is necessary to bear out the assertion that the extinction of the State of Cracow is a violation of that treaty. I say, that, independently of the 118th Article, you must get rid of the 6th, 7th, 8th, and 9th Articles, which are part of the general treaty to which all the Powers were contracting parties; and I say, that the extinction of the republic of Cracow is a violation of those articles of the general treaty. But it may be said, that they were only put in as a record of some transactions to which England and France were not parties. Sir, I deny that position altogether. I say, that the documents to which I alluded in the early part of this evening, in answer to a question put to me by an hon. Member—that the records of the proceedings of the Congress of Vienna, which are contained in the State Papers in the library of this House, prove that England was a party to all the negotiations which determined the general terms of that treaty, and to all the arrangements of Europe which afterwards formed portions of the general and annexed treaties; and that, both with regard to the treaty and to the arrangements with respect to which it was made, England, through her representative, was a party. It will be seen in the third protocol of the conferences of the Congress of Vienna, dated the 8th of February, that a Commission was appointed to draw up the articles which relate to the arrangements consented to and agreed upon by the Congress, and that Commission consisted of the following parties: "Clancarty, Munster, Humboldt, Jordan, Capodistrias, Bernadeire (France), Hadelst and Wacken (Austria)." It was, in short, signed by the representatives of the Five Powers. On a subsequent day, the 10th of February, it appears by the protocol of the Five Powers (No. 4), that the report of the above Commission was read, and amongst the articles read which had been prepared by them, is this—"That the city of Cracow shall be a free city with a surrounding district;" and it appears also, that Lord Castlereagh wrote to Lord Liverpool from Vienna on the 13th of February, saying—

> "That the noble Lord would receive enclosed the territorial arrangement with respect to Poland and Prussia, including Saxony, Holland, and Hamburg, as finally agreed to by the Five Powers of Austria, Russia, France, Prussia, and Great Britain. They had been recorded in the protocol, and would find a place in the general treaty."

Therefore, it appears, not only that the general treaty to which England and France are parties, does contain a stipulation with regard to the freedom of the city of Cracow; but it appears also by the documents to which I have referred, that those arrangements were settled in the conferences to which England was a party, and that those conferences and those arrangements took place at a period anterior to the conclusion of the separate treaty which has been alluded to as the material treaty to carry out these arrangements. I say, therefore, it is perfectly plain that the arrangement as to Cracow was founded upon stipulations to which Great Britain was a party; and I hold that the violation of that treaty is a violation of the arrangements to which Great Britain was one of the contracting parties. But I am told, that in similar instances to this, England has been a party to a similar course. The hon. Gentleman (Mr. Disraeli) says, that with regard to the arrangements respecting Belgium, the Treaty of Vienna was departed from, and that England was a party to the infraction. I am not aware whether I understood correctly what the hon. Gentleman said; but if I did not misunderstand him, he said that the King of the Netherlands at first applied to Austria and Prussia only, and that England and France came in afterwards. Now, the application of the King of the Netherlands was to whom he liked, relating to something inserted in the treaty. The hon. Gentleman wished me to read to the House some of my protocols; but I will rather refer to one not signed by me, but by the Earl of Aberdeen. The first protocol records the manner in which the subject is brought under the consideration of the Five Powers. It is dated 4th of November, 1830; present the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia:—

> "His Majesty the King of the Netherlands having invited the Courts of Great Britain, Austria, France, Prussia, and Russia, in their character of signing Powers to the Treaties of Paris and Vienna—treaties which established the kingdom of the Netherlands—to deliberate, in concert with His Majesty, on the best means of putting an end to the disturbances which have broken out in his States; and the above-mentioned Courts having felt, even before they had received this invitation, a strong desire to put a stop, in the shortest time possible, to disorder and to bloodshed, they have, through the medium of their Ambassadors and Ministers, accredited at the Court of London, agreed upon the following resolutions."

It was not the case of an inserted treaty. The arrangement with respect to the Netherlands formed part of two treaties—the Treaty of Paris in 1814, and the Treaty of Vienna in 1815. Why, then, were these Five Powers alone the parties to whom the question was referred? Because the King of the Netherlands, of his own accord, invited those parties to act, and appealed to them. The application was not made to two or to three Powers, but to the Five Powers which had constituted the kingdom of the Netherlands. The separation which took place was made by the consent of all the five; and, therefore, it was more in conformity with the stipulations on which the kingdom was formed. [Mr. DISRAELI: Sweden was a party to the Treaty of Vienna.] Now, the noble Lord (Lord G. Bentinck) appears, from his speech, to imagine that the Five Powers did not consent at the same time to the arrangements; that it was England and France that first entered into a separate arrangement, and that it was only after a considerable time that Russia and the other Powers came into this arrangement; but if the noble Lord will look at the Treaty of the 15th of November, 1831, he will find that the arrangement made for the separation between Belgium and Holland was signed by the Five Powers, and that the whole Five Powers agreed, one as soon as the other. I say, therefore, it appears to me to be perfectly clear, from the documents to which I have referred, that the extinction of the independent State of Cracow, and its annexation to the empire of Austria, was a manifest violation of the stipulations of the Treaty of Vienna. Well, then, it may be asked, if that is our opinion, why is there any hesitation in acceding to the proposition of the hon. Member for Montrose, and to recording our opinion as a resolution of this House? The ground of objection, is that which was taken by my noble Friend the Member for the city of London (Lord J. Russell); it is not the ground which some of those who have spoken in this debate have assumed; the ground is, not that it is not for this House to take into its consideration the question of our foreign relations—that was not the argument of my noble Friend, or the ground on which it would be fair to offer the resistance to this Motion which my noble Friend did—but the ground is, that if the House should take such a resolution on a question of such grave importance as the conduct of foreign Powers, it is not fitting that such a resolution as this should pass unless it be followed up by some decisive step; that it is not consistent with the honour, the dignity, and the character of this House and of the country, that the House of Commons should pass strong resolutions against the conduct of foreign Powers, in respect to treaties to which this country is a party; and then, having declared that a treaty has been violated, to sit down quietly, and not follow up the resolution by any further proceeding. My noble Friend has said—and I fully agree with him—that, so far as a record of the opinion of England that the provisions of the treaty have been broken, is necessary, that record is to be found, first, in the protest against the annexation of Cracow which has been communicated to the parties concerned; and next, in the mention which has been made to Parliament of such a protest having been presented. Nobody means to contend that the Address in reply to the Speech from the Throne committed the House to the opinion that the treaty had been violated; it is a principle which all Governments have invariably held, that a mere acknowledgment of what is stated in a Speech from the Throne leaves the House perfectly unfettered; but my noble Friend argued that the silence of the House was sufficient to answer the views of the hon. Member for Montrose; having received that communication, and not having made any address to the contrary, that silent acquiescence was sufficient to all intents and purposes. It is, therefore, my intention, before I sit down, to move the previous question upon the first resolution proposed by the hon. Member for Montrose. It is my intention to meet the second with a negative. With regard to the first, I am of opinion that it is inexpedient for the

House to express itself in those terms on the violation of the Treaty of Vienna. Therefore, I propose that it shall not be put. Then comes the second. Does that violation release this country from its obligations under the convention in reference to the Russian-Dutch Loan? My opinion decidedly is that it does not. If you look to the stipulations of that convention, as arranged either in 1831 or in 1815, I think it can be shown to the satisfaction of any man that the extinction of the State of Cracow does not justify this country in suspending or discontinuing the payment of the Russian-Dutch Loan. It is necessary to consider what is the origin of that engagement. The origin and history of that engagement is shortly this: at the end of the war when Europe was delivered, and the arrangements of Europe had to be reconstructed, it was felt that the great Powers who were principal actors in the war, who had made the greatest exertions, who had incurred the greatest expense, were entitled to some compensation from the smaller Powers who had benefited from the results of the war. It has been stated that most of those smaller Powers contributed for those purpose. There was no sovereign who benefited more by the results of that war than the Prince Sovereign of the Netherlands; for he was restored not only to his territories and his position, but it was among the leading arrangements of the treaty that his territory should be increased in extent and strengthened by fortifications; and that his position should be confirmed by an engagement on the part of the Allies to come to his assistance should it be necessary. It was felt that that Prince Sovereign, as he was then called, of the Netherlands might justly be called upon to contribute compensation to the great Powers engaged in the war; but Austria and Prussia waved any claim they might have in favour of Russia; and it was agreed that the whole compensation he was to make to the liberating Powers should be made to Russia alone. The mode of compensation was to be, that Holland should take upon itself the payment of interest and principal of a loan which Russia had raised. The first result of the arrangement was, that the whole of that charge would have fallen upon the King of the Netherlands. But there was another transaction between the King of the Netherlands and England. It was thought right that England should retain some of the most important colonies which had once belonged to Holland, the Cape of Good Hope, Demerara, Berbice, and Essequibo; and it was agreed that, in consideration of those valuable possessions, we should assist the Netherlands by bearing one-half of the burden which the King of the Netherlands was to bear in favour of Russia. The result was that it was determined that England and the Netherlands should go in shares, each paying a half, and taking upon them the sinking fund and the interest of the loan. But, in order to make that arrangement still more conducive to the organization and permanence of the kingdom of the Netherlands, there was added a stipulation, taken on the part of Russia, that if at any time Belgium should be separated from Holland, the obligation to pay for the loan should cease, and the debt should fall back upon Russia and Holland alone. The object was to give Russia an interest in maintaining the union of Belgium with Holland, which was then considered an arrangement especially conducive to the balance of power in Europe. Then came the revolution in Belgium. Then came the separation of Belgium from Holland—a separation to which this country very reluctantly consented, but which was found necessary to avoid the calamity of a general war in Europe. But Russia having consented to the separation at the request of England—though she was ready, as already remarked in this debate, to bring 60,000 men to defend Holland and re-annex Belgium—it would be manifestly unjust to inflict on Russia the penalty of an event which had not taken place in consequence of any laches on her part. A new convention was necessary to meet the new state of things. England took one engagement, Russia took another. The engagement of England was, that on the separation of Belgium from Holland, that separation having taken place at the request and with the concurrence of England, England should continue to pay the Russian-Dutch Loan. The new engagement made by Russia, applicable to the new state of things, was, that whereas, under the first state of things, she had an interest in seeing that Belgium was not separated from Holland, she undertook, if ever, by the course of events, the independence and neutrality of Belgium should be endangered, that she would not enter into a new arrangement as to Belgium without previously communicating with and obtaining the consent of England. We stood, therefore, on similar grounds to those on which we stood before. There was an engagement on the part of England; there was a counter-engagement on the part of Russia; but the nature of the engagements was altered with the objects. It has been said, that in the Convention of 1831 words were inserted in the preamble which are not to be found in the Convention of 1815. In the preamble it is recorded, that the general arrangements of the Treaty of Vienna are still to subsist. I can state to the House by whom those words were suggested, and at whose instance they were introduced; they were inserted by the Russian Plenipotentiary; and why? To keep upon record the original principle upon which the convention had been made by Russia. If, indeed, those words imported that the continuance of the payments on account of the loan was to depend upon the continued existence of the arrangements under every one stipulation of the treaty, then I should admit that no doubt could exist as to the release of England from the obligations of that convention; but I cannot bring myself to think that under those words put into the preamble, a single violation made of one of the articles of the Treaty of Vienna does release Great Britain from the obligations which that convention imposed upon her. If, therefore, I am called upon to say what my opinion is on that solemn treaty, I am bound to tell the House that I cannot think we are in honour released from the engagements we have entered into; but, even if there were a doubt in any man's mind upon the subject—if in the mind of any Member of this House there were a question whether or no we were bound by our engagements —I think the feeling of every Englishman would be, in a question which involves the honour of the country, that that doubt should be given in favour of the other party, and that it would not become this House to interpret a doubtful case in our own favour without knowing whether the other party was a consenting party. I am ready to admit that if the case were free from doubt, and were open and palpable, and that it could be shown to the satisfaction of every reasonable and impartial man that from the circumstances of the case, and under a fair interpretation, we were released from the engagements we had entered into, I should agree with the hon. Member for Weymouth, who spoke this evening, and who said that we ought not from any feeling of magnanimity, or from a chivalrous generosity, considering the burdens the people have to bear, to make any payment which we are not strictly bound to make; but, believing, as I do, that there is no doubt, and seeing that the greater part of those who have spoken upon this question, however they may differ from me on other points, admit that point, I think it would ill become this House to agree to the concluding resolutions of my hon. Friend, and determine that this payment should henceforward cease. I am sure that if the other Powers are found to be wanting in their engagements, it would be no satisfaction to this country to follow their example, and break the engagements we have entered into. It cannot be contended that examples of a breach of faith in one party justify the violation of the engagement on the part of the others; and if there is one foundation upon which the moral strength of this country depends more than another, it is that which it derives from its faithful and honourable fulfilment of the engagements it has entered into. I should, therefore, hope that this House will not be led, even in a case which may be doubtful, to risk the reputation of England upon a matter of good faith, and that my hon. Friend, seeing that there is a majority of this House who do not concur with him in the opinion he entertains, will be disposed, upon the fourth resolution, as he may perhaps on the preceding one, not to press the House to express its opinion by a division. I think that upon the first resolution it would be most desirable that he should abstain from pressing it. There is, I think, with few exceptions, a great unanimity of opinion in this House as to the transactions which have taken place at Cracow; and it would be most unfortunate if that opinion were put in doubt by a division which would be sure to be misunderstood. The technicalities of the House of Commons are little understood elsewhere; and if the hon. Gentleman presses this House to a division on the previous question, although we understand what that division means, I am sure he will see that it would be considered as a division of opinion on a question upon which hardly any division of opinion exists. I am sure that my hon. Friend, with that Parliamentary judgment which he possesses, sincerely wishing, as I know he does, to give effect to the opinions he entertains, will take the advice given to him by others, and not divide the House upon the first resolution. I should also hope that my hon. Friend would not press the

House to a division on the last; because, unless he has a fair chance of carrying into effect the opinions he entertains, I think that for many reasons the House will see that it is better for the character of the country that no attempt should appear to be made by the House of Commons to discontinue a payment for the cessation of which there was no clear justification. The noble Lord concluded by moving the previous question.

Mr. J. O'CONNELL would not detain the House above one minute. He rose merely to enter his protest, as a Member of that House—as a Member of a State said to be the freest in the world—as a Member of a House which professed to represent the opinions and feelings of the people of the British empire—to protest against the attempted palliation, nay, of the attempted vindication of the horrible massacre of the Gallician nobles. The blood-stained Metternich had called upon these unfortunate men to collect the taxes of the Austrian Government, and discharge other odious duties; and when a convenient time came, he let loose his bloodhounds upon them. He protested, therefore, against the palliation, which had been attempted, of such cruelty; and he protested also against the vindication set up on a previous evening by the noble Lord the Member for Lynn, of the actions of the execrable and hideous monster who ruled Russia at the present moment.

Mr. HUME said, that an allusion had been made to his approaching the rank of senior Member of that House; but he could say, that during all the time that he had been in Parliament, he had never heard such doctrines maintained as he had heard that evening from the hon. Member (Mr. Disraeli), and on a former occasion from the noble Lord the Member for Lynn. It was satisfactory for him, however, to perceive that on a subject of such importance—a subject involving the peace of the world—the opinion of the House should have been so strikingly and unanimously displayed in support of the views which he had himself expressed at the proceedings of the members of the Holy Alliance. He deemed his triumph complete, if he excepted the noble Lord the Member for Lynn, whose opinions, he believed, the whole House repudiated. He believed that if the whole country were consulted on the sentiments which had been expressed by that noble Lord and the hon. Member for Shrewsbury, he was sure that they would be received with a universal shout of execration. He confessed that he had endeavoured to ascertain what the motives of these two hon. Gentlemen could be; and the only guess he could arrive at was, that it was the intention of these two Gentlemen, at the close of the Session, to make a continental tour towards the north, and that they were preparing the way for a good reception. He could not account for their conduct in any other way. To be received at Vienna by the Emperor of Austria, and at St. Petersburgh by the Emperor of Russia, as the only two individuals who could be found in England to stand up and pass encomiums upon these despots, and vindicate their conduct, was certainly a great honour; and the reception which awaited the two travellers would no doubt be proportioned to their merits, and to the service they had rendered their entertainers. He could only say, that if he wished for any justification of the course he had pursued, the most complete one had been afforded by that debate. The sentiments expressed in the speech of the right hon. Baronet the Member for Tamworth, did him great credit, and would be re-echoed throughout the country; but, with regard to the speech of the hon. Member for Shrewsbury, he (Mr. Hume) would say—may he long live to enjoy the reputation accorded to it by history! Notwithstanding the unanimity—the wonderful unanimity—of the House in favour of his views, he found there were doubts raised in the minds of so many as to the policy of pressing the Motion, that he did not feel disposed to set his own opinion against theirs. He must, however, say that the hon. Member for Bute had completely made out his (Mr. Hume's) case as to the non-liability of Great Britain to the payment of the loan. The noble Lord had admitted that a doubt might possibly arise on the construction of the words "shall maintain the general arrangements made at Vienna;" and the hon. Member for Bute had since referred to a document which gave the very construction put on them by the Plenipotentiaries of Russia themselves. Before the House separated, he begged it to be understood that he did not wish to go beyond the principles laid down in the years 1831 and 1832. If Her Majesty's Government desired to continue the payment to Russia, let them undertake it upon a just and intelligible principle; let them bring in a Bill to declare the precise footing upon which they paid the money, and not let it remain payable on the present vague and unsatisfactory basis. He considered that the opposition which he had offered in reference to this matter, was supported by law. The hon. Gentleman who now taunted him with change of sentiment, had often altered his own opinions, although he had not always the moral courage to avow his conversion. The time at which it was said he changed his opinions was one in which he was compelled to make his election between the Whig Ministry and the Reform Bill upon the one hand, or on the other of giving validity to the treaty with Russia. It was said that he had waited for twelve years; but why did he wait? He waited for a breach of the treaty. No one had any objection to the principles that he had laid down, if he merely excepted the noble Lord and the hon. Gentlemen who were anxious to secure for themselves a favourable reception at foreign Courts. He had obtained a complete triumph. [*Laughter*] No one laughed but the mischief-makers; and, as he had answered his purpose, he now felt no objection to withdraw his Motion.

Motion withdrawn.

House adjourned at a quarter past One o'clock.

HOUSE OF COMMONS,

Wednesday, March 17, 1847.

Minutes.] Petitions Presented. By Mr. Charles Round, from Essex, and several other places, against the Roman Catholic Relief Bill.—By Sir Benjamin Hall, from Carnarvon, for Inquiry respecting the Rajah of Sattara.—By Lord H. Vane, from Stockton-upon-Tees, for Reducing the Lighthouse Dues.—By Mr. Spooner, from Birmingham, against the Rating of Tenements (No. 2) Bill, and by Mr. Allix, from Bishops Stortford, in Favour of the same.—By Mr. Palmer, from Epping, and Colonel T. Wood, from Edmonton, and Kensington, respecting Remuneration to Tax Assessors and Collectors.—From Kingston-upon-Hull, for Inquiry respecting Criminal Offenders.—By several Hon. Members, from a great many places, in Favour of the Ten Hours Factories Bill, and by Mr. Bright, from Wm. Dockray and Co., Against the same.—By Mr. Christopher, from Guardians of the Gainsborough Union, for Repeal or Alteration of the Poor Removal Act.

RATING OF TENEMENTS (No. 2) BILL.

Order of the Day for the Second Reading of the Rating of Tenements (No. 2) Bill read.

Mr. WADDINGTON moved that the Bill be read a second time.

Mr. SCROPE hoped the hon. Member would not press on this Bill now, as it would occasion considerable discussion, and he thought it would prove, in some respects, most injurious to the interests of the labouring classes. He was satisfied that the debate upon the second reading would occupy a considerable time, for if it were taken he should endeavour to obtain the indulgence of the House, while he stated his reasons for giving his most strenuous opposition. It was well known that there was great objection, in rural districts, to the building cottages for the accommodation of the poor; and if this Bill were passed, he believed that that disinclination would be very largely increased. He was quite aware that there was a great extent of property not assessed for the relief of the poor; and he was of opinion that it was very properly excused, though that relief amounted, as he believed, to some hundreds of thousands of pounds—he could speak of his own knowledge to the amount of more than 100,000*l.* He felt assured that it was actually no loss to the country, while it had proved of great benefit to the persons concerned. This Bill proposed to make the landlords responsible for the rates of their tenants, but that would confer no relief whatever, for the landlords would be sure to take their own back again in the shape of an increased rental.

Sir G. GREY thought, that if any extensive alterations were intended to be made in the Bill, it would be most injudicious to proceed with it at present. The measure involved large alterations in the present law of rating, and upon all accounts he thought it would be most desirable to postpone going into Committee upon it until after the Committee which was at present sitting on the law of settlement had closed its labours.

Colonel WOOD said, his hon. Friend (Sir J. Pakington) had charge of another most important measure, the Juvenile Offenders Bill, which ought to be proceeded with it at once; so he thought they might as well proceed with the Bills in the order in which they stood upon the Paper.

Mr. FINCH thought it would be trifling with the feelings of hundreds of thousands of the people to procrastinate on the subject of the Factory Bill, in which they were so deeply interested.

Mr. FERRAND accounted for the suggestion of the hon. and gallant Member (Colonel Wood) by his dislike to the Factory Bill, of which he was a vehement opponent. It was by all means advisable to proceed with the Factory Bill; and if the Rating of Tenements Bill were to be taken, the Factory Bill must be postponed. There was urgent necessity that the Factory Bill should be passed, in some way or other, before Easter; for he could assure the House that the whole of the manufacturing districts were in the most intense anxiety respecting it. He had, besides, understood that the Wednesdays were to be given up to the hon. Member for Oldham, until his Bill was finished.

MR. CRIPPS said, that there was an express Order of the House, that the Orders of the Day were to be taken as they stood on the Paper; and important as the Factory Bill was—and he was not at all disposed to underrate its importance—the Rating of Tenements Bill was, in his opinion, of still greater importance, and affected a larger number of people. It ought, therefore, to take precedence both of the Factory Bill and of the Juvenile Offenders Bill, both of which stood after it on the Paper.

SIR J. PAKINGTON thought that it would not be consistent with his duty to consent to the postponement of the Bill which he had introduced upon the subject of juvenile offenders. It was of great importance that the subject should be settled before the ensuing quarter-sessions. He was not, however, disposed to offer any opposition to the further progress of the Factories Bill, and he was quite willing to consent to the Juvenile Offenders Bill being read a second time *sub silentio*, and any discussion that might be raised upon the principle of the Bill should take place on the Bill going into Committee.

SIR G. GREY said, that he did not think it was desirable that any Bill, upon the principle of which there was a diversity of opinion entertained by hon. Members in that House, should be read *sub silentio*, as proposed by the hon. Baronet (Sir J. Pakington.)

MR. HENLEY objected to the Bill being read a second time *sub silentio*, as the magistrates of quarter-sessions would conceive that the House had adopted the principle of the Bill.

MR. B. ESCOTT thought that if the Bills were to be discussed, they ought to be discussed at once. He would oppose the proposition to read the Bill *sub silentio*.

MR. MILES thought that it was most unfair that the opponents of the Factories Bill should monopolise, by their opposition, the whole of the time every Wednesday. He did not think that even if the Factories Bill were brought on, that there would be the smallest chance of its going through Committee that day, or even in the present Session. There was a vast quantity of Notices on the Paper with respect to that Bill, which would occupy a great amount of time.

MR. BRIGHT moved that the debate be adjourned.

MR. WADDINGTON said, that a great deal of trouble had been taken to submit the Bill in every county in England to the consideration of the petty sessions; and all, without exception, had approved of the Bill. It was a most irksome and painful duty devolving on the magistrates of issuing summons and distress warrants against the poor people who were unable to pay their rates; and any Bill which would fix exactly the principle and relieve them from this duty was most important. He, therefore, under all these circumstances, should wish the second reading to take place *pro formâ*, and the discussion taken afterwards.

AN HON. MEMBER, who declared himself equally friendly to all the measures, concurred in the suggestion.

SIR G. GREY said, that as the Motion before the House was for the postponement and not for the rejection of the measure, he should support it.

MR. CRIPPS said, the Government knew very well, and ought to say at once, whether or no they objected to the principle. The House could then decide on the principle without delay, as he was convinced a discussion would not alter the preconceived determination of hon. Members.

House divided on the Question that the debate be adjourned:—Ayes 87; Noes 39: Majority 48.

List of the AYES.

Aglionby, H. A.
Aldam, W.
Arkwright, G.
Arundel and Surrey, Earl of
Baillie, W.
Baine, W.
Barnard, E. G.
Barrington, Visct.
Bernal, R.
Browne, W.
Busfeild, W.
Cholmeley, Sir M.
Christie, W. D.
Christopher, R. A.
Colebrooke, Sir T. E.
Coote, Sir C. H.
Courtenay, Lord
Cowper, hon. W. F.
Crawford, W.
Curteis, H. B.
Dennistoun, J.
Douglas, Sir H.
Douglas, Sir C. E.
Duncan, G.
Duncombe, T.
Dundas, Sir D.
Egerton, Sir P.
Escott, B.
Etwall, R.
Ewart, W.
Fielden, J.
Ferrand, W. B.
Finch, G.
Fleetwood, Sir P. H.
Forster, M.
Gardner, J. D.
Gibson, rt. hon. T. M.

Gore, hon. R.
Grey, rt. hon. Sir G.
Grimsditch, T.
Hall, Sir B.
Hamilton, G. A.
Harris, hon. Capt.
Hatton, Capt. V.
Hayter, W. G.
Henley, J. W.
Houldsworth, T.
Howard, P. H.
James, W.
Johnson, Gen.
Lambton, H.
Lawson, A.
Lindsay, Col.
Macaulay, rt. hon. T. B.
Manners, Lord J.
Maule, rt. hon. F.
Monahan, J. H.
Newdegate, C. N.
Newry, Visct.
Owen, Sir J.
Palmer, R.
Parker, J.
Patten, J. W.
Protheroe, E. D.
Rawdon, Col.
Rice, E. R.
Roebuck, J. A.
Rolleston, Col.
Ross, D. R.
Rushout, Capt.
Russell, Lord J.
Scrope, G. P.
Seymour, Lord
Sibthorp, Col.
Somerville, Sir W. M.
Stansfield, W. R. C.
Strickland, Sir G.
Strutt, rt. hon. E.
Sutton, hon. H. M.
Tancred, H. W.
Thornely, T.
Tollemache, J.
Troubridge, Sir E. T.
Tufnell, H.
Vane, Lord H.
Wakley, T.
Wawn, J. T.

TELLERS.

Bright, J.
Brotherton, J.

List of the NOES.

Adderley, C. B.
Allix, J. P.
Baskerville, T. B. M.
Bennet, P.
Beresford, Major
Brisco, M.
Broadley, H.
Buck, L. W.
Cabbell, B. B.
Carew, W. H. P.
Chute, W. L. W.
Codrington, Sir W.
Cripps, W.
Dickinson, F. H.
Douglas, J. D. S.
Egerton, W. T.
Fellowes, E.
Greene, T.
Hervey, Lord A.
Hodgson, F.
Hope, Sir J.
Jermyn, Earl
Jolliffe, Sir W. G. H.
Jones, Capt.
Langston, J. H.
Law, hon. C. E.
Mackenzie, T.
Maunsell, T. P.
Miles, W.
Neville, R.
O'Brien, A. S.
Pakington, Sir J.
Polhill, F.
Prime, R.
Round, C. G.
Smith, rt. hon. R. V.
Sotheron, T. H.
Spooner, R.
Wood, Col. T.

TELLERS.

Packe, H.
Waddington, R.

Debate adjourned to March 31st.

JUVENILE OFFENDERS BILL.

Order of the Day for the Second Reading of the Juvenile Offenders Bill read; and Motion made that the Bill be now read a second time.

MR. WAKLEY moved that the debate be adjourned.

MR. P. HOWARD seconded the Motion.

House divided:—Ayes 93; Noes 29: Majority 64.

List of the AYES.

Aglionby, H. A.
Aldham, W.
Arkwright, G.
Arundel and Surrey, Earl of
Baillie, W.
Baine, W.
Barnard, E. G.
Baskerville, T. B. M.
Bennet, P.
Beresford, Maj.
Bernal, R.
Bright, J.
Brisco, M.
Broadley, H.
Brotherton, J.
Brown, W.
Busfeild, W.
Cholmeley, Sir M.
Christie, W. D.
Christopher, R. A.
Colebrooke, Sir T. E.
Conyngham, Lord A.
Coote, Sir C. H.
Courtenay, Lord
Cowper, hon. W. F.
Crawford, W. S.
Curteis, H. B.
Dennistoun, J.
Douglas, Sir H.
Duncan, G.
Duncombe, T.
Dundas, Sir D.
Egerton, Sir P.
Escott, B.
Etwall, R.
Fielden, J.
Finch, G.
Fleetwood, Sir P. H.
Forster, M.
Gardner, J. D.
Gibson, rt. hon. T. M.
Gore, hon. R.
Grey, rt. hon. Sir G.
Grimsditch, T.
Hall, Sir B.
Hamilton, G. A.
Harris, hon. Capt.
Hatton, Capt. V.
Hayter, W. G.
Henley, J. W.
Hodgson, F.
Hope, Sir J.
Houldsworth, T.
Howard, P. H.
James, W.
Jermyn, Earl
Johnson, Gen.
Lambton, H.
Law, hon. C. E.
Lindsay, Col.
Macaulay, rt. hon. T. B.
Manners, Lord J.
Maule, rt. hon. F.
Monahan, J. H.
Newdegate, C. N.
Newry, Visct.
O'Brien, A. S.
Owen Sir J.
Parker, J.
Patten, J. W.
Polhill, F.
Protheroe, E. D.
Rawdon, Col.
Rice, E. R.
Roebuck, J. A.
Rolleston, Col.
Ross, D. R.
Russell, Lord J.
Scrope, G. P.
Seymour, Lord
Sibthorp, Col.
Smith, rt. hon. R. V.
Somerville, Sir W. M.
Stansfield, W. R. C.
Strickland, Sir G.
Strutt, rt. hon. E.
Tancred, H. W.
Thornely, T.
Tollemache, J.
Troubridge, Sir E. T.
Tufnell, H.
Vane, Lord H.
Wawn, J. T.

TELLERS.

Ferrand, W. B.
Wakley, T.

List of the NOES.

Adderley, C. B.
Allix, J. P.
Buck, L. W.
Cabbell, B. B.
Carew, W. H. P.
Chute, W. L. W.
Codrington, Sir W.
Cripps, W.
Dickinson, F. H.
Douglas, J. D. S.
Egerton, W. T.
Fellowes, E.
Greene, T.
Hervey, Lord A.
Jolliffe, Sir W. G. H.
Langston, J. H.
Lawson, A.
Maunsell, T. P.
Miles, W.
Neville, R.
Packe, C. W.
Palmer, R.
Prime, R.
Round, C. G.
Rushout, Capt.
Sotheron, T. H. S.
Spooner, R.
Waddington, H. S.
Wood, Col. T.

TELLERS.

Pakington, Sir J.
Barrington, Visct.

Debate adjourned to April 28th.

FACTORIES BILL.

Order for Committee read, and Motion made that the Speaker do now leave the Chair.

MR. DENNISTOUN rose to propose the Motion of which he had given notice, namely, that the House go into Committee on the Bill that day fortnight. He said, notwithstanding the violent denunciations of the hon. Gentleman the Member for Knaresborough of those who opposed this Bill, he should not be deterred from bringing forward his Motion, and of stating the reasons which led him to do so, together with the reasons why he could not agree to the Bill; but at the same time he must disclaim any intention of wishing to defeat the measure by any factious opposition. Unfortunately, any private Member brought forward a measure of this sort at a great disadvantage, as it was in the power of any opposing Member to take advantage of the moment previous to the House rising at six o'clock to move as an amendment the adjournment of the debate. He, however, had never taken an advantage of that sort; on the contrary, on one occasion he had been the means of preventing an adjournment of the debate being moved. He felt most decidedly, that the House understood but little what, in the opinion of the manufacturing interest, would be the result of that measure. When he looked at the history of the various proceedings which had taken place on the subject of a Ten Hours Bill, he was forcibly led to the conclusion that hon. Members had but a very faint comprehension of the measure. He had taken the trouble to look through *Hansard*. He there found that three years ago, when they divided on the Bill introduced by Lord Ashley, on the 2nd of March, 1844, on the question that the blank be filled up with twelve hours, the numbers were: Ayes 183; Noes 186: Majority of 3 against twelve hours. The Motion was then put that the blank be filled up with ten hours. Ayes 181; Noes 188: Majority of 7 against ten hours, so that at that time the House would neither have a Ten Hours Bill, nor a Twelve Hours Bill. On the 13th of May, 1844, on the clause embodying the principle of the present Bill, the numbers were: Ayes 159; Noes 297: Majority of 138 against the Bill. In May, 1846, on the second reading of the same Bill, the numbers were: Ayes 193; Noes 203: Majority of 10 against the Bill. On the 19th of February, 1847, on the second reading of the same Bill, the numbers were: Ayes 195; Noes 87: Majority of 108 in favour of the Bill. So that while the supporters of the Bill had remained nearly stationary—varying only from 159 to 195—the opponents commenced at 186, rose to 297, and then fell to 87. And now the supporters of the measure had increased from 159 to 195, whilst the number of opponents of the measure had been reduced from 297 to 87. He would not take upon himself to say what was the cause of these sudden and violent changes, whether the repeal of the corn laws had anything to do with them, or whether the opportunity was seized to retaliate on the manufacturing interest; but it did appear to him that the House had a very unsettled opinion in regard to the measure. He had a preliminary objection to take to the Bill. Its title was a dishonest one, as it was termed a "Bill for limiting the hours of labour of young persons and females in factories." He therefore wished to put this question to those who had charge of the Bill: "Will the Bill not also affect adult male labour?" They must know it was a mockery, a delusion, and a snare to say that if they limited the hours young persons and females were to work, it would not apply equally to all persons. The same deceit was carried through the body of the Bill. The Bill proposed to reduce the hours of labour from twelve to eleven; and it not only did that for five days in the week, but on Saturday it reduced the hours from nine to eight. This might appear a trivial affair; but in reality it would be a loss of two millions sterling per annum. He was not one of those who admitted that former legislation had been beneficial to the operatives. They had already interfered with regard to children, and the result of that interference was that at the present moment there was not employed in Scotland one single young person under the age of 13. He wished to know if it had in any way promoted their interest. On the contrary, he had in his possession an advertisement inserted in a Glasgow paper, calling a meeting to take into consideration the lamentable condition of the children who infested the streets of this, the second city in the empire. How were they brought into that condition? By the measures of that House; and they were alone the responsible parties for having so reduced the comforts of those children. Again, they had prevented women working in collieries at all—the most monstrous interference with the rights of labour that even that House had ever perpetrated; and what was the result? Why, that thousands of honest women were reduced to the utmost misery, and, two years after the passing of the measure, implored that House to allow them to return to their labour, and so gain an honest livelihood. All legislative interference with labour on the part of the Government was, in his opinion, most objectionable. They had interfered in favour of the agriculturists by their corn laws. They had interfered in favour of the shipping interest by the navigation laws. So in the West Indies, their sugar duties were interfering with them, and again, there were the enormous duties they had imposed upon silk. He would ask the House who were the parties who had come there year after year (as an hon. Gentleman opposite had expressed it), whining for protection, but those very parties on whose behalf they had attempted to interfere? They were now about to interfere with the rights of those who had never asked anything at the hands of that House. He had been very much struck with the mode in which the right hon. Member for Tamworth put the case as affecting wages; but the right hon. Gentleman had very much understated the case. The right hon. Gentleman said, that their interference would be equal to an income tax of 12 per cent on wages; but it was in reality equal to an income tax of 16¼ per cent, and more than that, for when they placed an income tax on all property above 150*l.*, they did not, at the same time, tie the hands of all the parties who were liable to it. On the contrary, they were left free, and it was an inducement to further exertion and more determined energy to make up for the loss. But they were not only putting a tax fivefold greater in amount of the income tax upon the labourer, but they at the same time tied his hands, and said that no powers of his should be exerted beyond ten hours of labour. That was neither more nor less than a boon to their foreign competitors. He did think that the House should be more cautious before it gave in to a notion, which he knew was very prevalent, that this country, in its manufacture of cotton, was infallible in its supremacy, and that no foreign nation could touch it. He believed that a more fatal delusion never went abroad; and he might say, that the trade of a country once gone, was gone for ever. Let the House look at the manufactures of Flanders. What was the situation of Bruges, Antwerp, and Ghent? At one time they possessed nearly the whole manufacture of Europe; but they had afterwards lost it to England, and had never been able to recover it. It might be said that in these countries they had not the energy of Great Britain; but, as farmers, they stood at the head of Europe. They were the best agriculturists in that hemisphere, and it was, therefore, no answer to say that they had not the energy that we have. But what was the state of the cotton trade towards the close of the last century, and, he might say, towards the close of the war? Why, this country possessed almost the entire manufacture of cotton; but, from one cause or another, competition had gradually sprung up, so that, at the present moment, in the article of cotton, instead of England being the sole manufacturer, her foreign rivals managed to compete with her, and were gaining upon her at a rapid rate. There were many causes for that. Other countries had great water-power, and paid less for the raw material; but would the House step in and make an artificial restriction, which would act as a boon to other countries? He had a statement of the usual hours worked by five of their chief competitors, the United States, France, Prussia, Switzerland, and the Tyrol. They worked upon the average fourteen per cent more than this country. But, said the noble Lord, they could not refer to the United States, because he understood that during six weeks or two months they had holidays allowed to them. He would then strike out the United States altogether, which worked thirteen per cent more than this country, and there remained still an advantage of fourteen per cent in favour of the remaining countries. The Bill proposed to add sixteen per cent more to that advantage, making thirty per cent in favour of the foreigner. But if they looked at it in another point of view, the magnitude of the interests involved in this country was something enormous. It was impossible to say what was the money value of the manufactures of this country. He should take it at the moderate estimate which he had put, namely, 120,000,000*l.* sterling. Now, if they struck off one-sixth of that amount, they would strike off nineteen millions a year. How would that affect the export trade? for he believed that the great bulk of that loss would come upon the export trade; and in that case he would wish to know what would become of their imports, and of the enormous amount of trade they would be compelled to forego? How above all, would they pay for the enormous importations of food? These amounted during the past year to little short of fifteen millions sterling, and must be paid for either in goods or in gold. If they prevented the former, the inevitable result must be, that many years would not elapse, till we were compelled either to cease importing corn altogether, or to part with every ounce of bullion in the country. He thought that the late Ministry had well risked their power, even when that power was in its zenith, to resist such a proposition; and, in point of fact, the present Government, although the noble Lord at the head of it was not opposed to it, those who were, and had been more immediately responsible for the finances of the country were opposed to it. What did the Chancellor of the Exchequer say? There was no man in that House more opposed to the views of the promoters of this measure. What said the late Chancellor of the Exchequer, the right hon. Member for Cambridge; and what said the one before him, the right hon. Member for Portsmouth? What said Lord Monteagle and Lord Ripon? Why they were all opposed to it. The Secretary of the Board of Trade, Lord Clarendon, the Secretary for Ireland, formerly the President of the Board of Trade, every man in both Houses connected with the finances of the country, was diametrically opposed to it. Notwithstanding all that array of authority, they had determined to proceed. At all events, those opposed to the measure had done their duty in warning the House of what in their opinion would be the inevitable result. On the supporters of the measure alone would rest the responsibility. He would make a short statement with regard to the Amendment of which he had given notice. He had given the subject his best attention, and he must say, that it appeared to him to be, as he would show, a feasible one. His only objection was, that it went too far, because, in point of fact, they were to admit the principle of the ten hours altogether as applied to the number of hours to be wrought in a week or in a year, though not in a day. The advocates of this measure said that no female or young person should work more than fifty-nine hours in a week. He took that principle, and agreed with it: all that he had asked was, that they should allow him to work out its details, provided he did not trench on the principles of the Bill. He proposed that they should be allowed to work during the three days as much as twelve hours at a time, the manufacturers binding themselves not to work during the two consecutive days more than twenty hours—that was twelve hours one day, and eight hours on the succeeding day. Their object was to be allowed to work their machinery during three days for twelve hours, so that by a system of relays the productive powers of the country would not be trenched upon. If that point were conceded, it would meet their views almost to a letter. That was a fair proposal, and they would do well at once to agree to it. He called upon the House, however, to delay the measure for one single fortnight. The hon. Member for Knaresborough said that it was a most unfair thing to delay the passing of this measure until after Easter. He would ask the hon. Member for Oldham if there was the slightest chance of another stage being obtained for this Bill before Easter? Even under the most favourable circumstances they could not get beyond the Committee; and when the report was brought up, there would be a discussion upon that. Under the most favourable circumstances, they could not possibly bring up the report until after Easter. He proposed that they should go into Committee that day fortnight, so that the manufacturers of the country should have time to consider the nature of his proposal. They would be able to say "aye" or "no." If they agreed to it, it would be preferable that the measure should have the general concurrence of the masters and men, and there would be less opposition in the House than there was likely to be if they went on at present. It would be difficult to explain to such an audience as he then had, as to the proposed mode of working the mills by the system of relays, and how that system was to be got up. In his mind it was perfectly practicable to use such a system, and they would not require more than twenty per cent, or one-fifth more of the amount of labour. Supposing that a mill at present employed 100 operatives. Under this clause, the same mill would be obliged to employ 120, and of course their wages would continue to be the same in the aggregate amount, though it would be distributed over 120 persons instead of 100. The mode in which this was to be brought about he would explain. Supposing that 120 hands entered the mill on the Monday morning, sixty of these hands would work the entire day. One hundred would begin in the morning, and at the hour of breakfast the first twenty would retire, and their place would be taken by the reserve twenty; and at three o'clock the second twenty would have their places taken by the twenty which had worked for the first three hours. These would be again relieved by another reserve, so that the third branch would only have worked eight hours. The result of that was, that out of the 120 sixty worked for twelve hours, and sixty worked for eight hours. The next day the thing was exactly reversed, for those who worked twelve hours on the Monday would work only eight hours on the Tuesday, and those who worked eight hours on the Monday would work twelve hours on the Tuesday. Thus the thing would go on until the Saturday, when the hours were restricted to nine; but the same principle could be applied to those nine hours. So that the whole 120 would only have been working fifty-seven hours per week—an amount considerably less than the proposed Ten Hours Bill. In a short time he thought that the system would work so well that they would be enabled to carry it on with 116 instead of 120. He had endeavoured to make the system as distinct as possible; but if he had been at all obscure, it was owing to the difficulty of explaining these operations to such an assembly. Looking at the importance of the question at issue, he really did not think that he was asking too much when he requested the House to postpone the Committee for a fortnight, not as a means of thwarting the measure, but in the hope that at the expiration of that time something might have been determined upon calculated to render the measure acceptable to both parties. The hon. Member concluded by moving his Amendment, that the Bill be committed that day fortnight.

Mr. FINCH was convinced that the proposal made by the hon. Gentleman the Member for Glasgow was a *boná fide* proposal. In the opinion, however, of the hon. Member for Oldham, who was well acquainted with the subject, there were grave and insurmountable objections to the system of relays. He should, therefore, consider that the proposition was inadmissible, and he should proceed to argue the question precisely as if it had not been made. The hon. Member had stated there were certain children in Glasgow, who, in consequence of the liberty afforded to them, had gone into excess; but why not institute for them a proper system of education? It would be strange so say that because children were neglected by their parents, and fell into practices of immorality, therefore they must be employed at labour to an extent that was injurious to their health. It was stated and argued by the opponents of this measure, that there was a great variety of opinion amongst those who supported it. It was said that one Cabinet Minister was in favour of eleven hours, while another Cabinet Minister was favourable to ten hours; and that other persons who were supporters of the measure went still further, and advocated an Eight Hours Bill. He would remind the House that when the Corn Bill was first introduced, the same difference of opinion existed. Some persons were in favour of a 10*s.* duty; others advocated an 8*s.* duty; and it was proposed by others that there should be a 6*s.* duty; whilst others were favourable to the proposition for abolishing all duty. But that variety of opinion was not considered to be a valid impediment in the way of the alteration of those laws. Therefore he submitted that the difference of opinion which existed on this subject should not be considered as a valid obstacle in the way to prevent the passing of a Bill which recommended itself so strongly to their good feeling as the Bill before the House. It was said, that they did not propose to look after the young females engaged in those works after they had been released, at the end of the ten hours, or after they left the works, and that the change, it was probable, would tend to the increase of immorality; but he differed from the hon. Members who held that opinion, and thought the effect of the measure must be to improve their condition, and give them domestic habits. It was said, also, to be calculated to affect the rate of wages, for if you took from the hours of labour twelve hours a week, there would be only five days left for work. That he conceived to be a great fallacy. According to the present hours of labour, they worked, in fact, seven days in the week, and by taking off one day, it would still leave six days to work. When the right hon. Baronet the Member for Tamworth brought forward his proposition for an income tax, he did not bring forward a petition signed by 230,000 of those who had to pay it; but the hon. Member for Oldham, in bringing forward this proposition, was only yielding to the entreaties of the operatives themselves. When he recollected that the right hon. Baronet the Member for Tamworth, and other hon. Members whose opinions were entitled to so much respect, had expressed themselves differently from him, he must assert his opinion with considerable diffidence; but he considered that the market for labour was like any other market, the value of the labour depended upon the supply and demand. In Mr. Porter's book, the opinion was stated upon the dicta of persons supposed to be well acquainted with the circumstances, that with respect to corn, if the produce diminished one-tenth, the price would rise three-tenths; if the produce diminished two-tenths, or one-fifth, it was calculated that the price would rise eight-tenths, or four-fifths. Now, if they diminished the hours of labour from twelve to ten hours, that would be equal to an abstraction of one-sixth of the labour from the market; and, according to the calculation he had referred to, labour ought to rise in value. He did not, therefore, believe that it would be a tax upon labour; but he thought the labourers would receive very much what they received at present. However, the question had been submitted to the operatives, and at any risk they were prepared to make the sacrifice. And even if a portion of their wages were lost, they would receive a *quid pro quo* by the addition which would be made to their social comforts. Now, as to the apprehensions entertained if this measure were passed, respecting the consequences that might result from foreign competition, it should be remembered that the manufacturers of Saxony purchased their machinery in England, which must cause an advantage in favour of England; then they had not the same facilities for obtaining coal as the manufacturers of England, though labour was certainly somewhat cheaper. Then as to America, the manufacturing operatives in America enjoyed two or three months holidays in the year; and when they considered the amount of labour performed there, as well as the amount of wages, it would be found that they had no advantage over them, while he thought there were disadvantages with respect to the price of machinery and coals; and certainly they were inferior to the manufacturers of this country in point of capital. He conceived that our manufacturers would not work a less number of hours on the whole if this measure were passed, but they would work more equably; for at present, though some mills worked full hours during a certain time, at other periods they worked short time, the operatives were dismissed, and there were most ruinous and depressed prices. He really believed if the manufacturers formed a true estimate of their own interests, they would find their interests would be better advanced by working for ten hours. He had merely to say in conclusion, he trusted the House would carry out this Bill as a Ten Hours Bill. Nothing short of that would settle the question, and nothing could be more injudicious than to leave the country in a state of agitation on this question.

MR. AGLIONBY thought it would be very injudicious for those who were in favour of the Bill, to postpone it by any unnecessary discussion; and the sole question, he conceived, was whether the House would agree to the proposal of the hon. Member to postpone the Bill for a fortnight. He implored hon. Members at both sides of the House to let the Bill go into Committee; and he asked, had the hon. Member for Glasgow brought forward any sufficient grounds for postponement? There was nothing, as it struck his mind, that could render such a course desirable. The postponement of the measure for a fortnight would be a mere waste of time, and he saw no reason for it. The feeling was abroad, that those masters and manufacturers should not have waited until the eleventh hour to make this proposal. Persons of the opposite interest said, and he thought with reason, that the masters could have done this long ago; and why then should they wait until the Bill was going into Committee? This Bill was introduced on the 26th or 27th of January, and this proposal ought surely in fairness to have been made sooner.

LORD J. RUSSELL agreed with his hon. Friend who had just spoken, in thinking that the best course the House could adopt was to go immediately into Committee, and not to consent to the proposal made by the hon. Member for Glasgow. He had no opportunity of speaking before the time at which the House rose on the day of the last debate on this question, or he should have taken the opportunity of making some remarks on the general question. He certainly did not say it was the fault of any opponent of the Bill, but because the right hon. Gentleman (Sir R. Peel), who spoke until about six o'clock, was carried away by his arguments, and induced to prolong his speech. He was for his own part quite willing to forego the opportunity of speaking now, in order to avoid giving rise to fresh debate. And as the House had decided twice—first, on the second reading, and again on the question of going into Committee—in favour of the general principle of this Bill, he took that question therefore as decided, and he thought it far better that the House should now go into Committee, and there discuss any Amendments that might be proposed by the hon. Member for Glasgow, or any other hon. Member. He could not say he thought, with the hon. Member who spoke last, that when this proposition was made by the masters, they were not acting with sincerity, because they delayed this proposition until the last moment. It was, therefore, wrong to charge them with bringing forward this proposal with the view of delay. It was a proposition from three persons, from three firms—it was their own proposition—they had not been in consultation with other masters, and therefore they were not chargeable with bringing forward this proposition at the last moment, and to give reason for delay. He thought it quite unnecessary to discuss that proposition now—when the House was in Committee the reasons why the proposition should or should not be adopted could be considered. He thought the best course which the House could now adopt was to go at once into Committee on this measure, for there was great anxiety and expectation on the subject. At any rate, as this Bill was only discussed on Wednesdays, it must be some time before the Bill could pass the House, and he trusted therefore they would lose no further time.

Mr. F. MAULE thought that when an hon. Gentleman like the Member for Cockermouth adduced arguments to show that no delay should take place in going into Committee on the Bill, he should have refrained from making use of arguments and statements calculated to provoke discussion. That hon. Member had stated, in the first place, that the minds of the operatives were so completely made up, that it was utterly useless to make any proposition to induce them to forego the Ten Hours Bill; in the next place, that the party who had submitted a proposal through the hon. Member for Glasgow had not done so with a *bonâ fide* intention. Now, he begged most distinctly to tell the hon. Member, that the gentlemen who had made the proposition were largely engaged in the cotton manufacture, and that if the hon. Member should search the records of the factory inspectors, he would find that they were not only honourable in their trade and profession, but had done all that in them lay to carry out the provisions of the Factory Acts; and therefore, he would say, that it was rather hard, and somewhat unfair, to charge these honourable men with making, at the eleventh hour, a proposition in which they were not sincere. [Mr. Aglionby: I said the very reverse.] If such were the case, his ear must have misled him. He did hope, however, now that a disposition existed to meet the views of the operatives, that the friends of the Bill would use all their influence to bring the adjustment to a satisfactory bearing. He hoped that the operatives would not be induced to resist a compromise which did not involve the principle which had been sanctioned by the House, and which, having been so sanctioned, he should not again dispute. It was essential to the right working of the Bill, should it pass into a law, that it should go through its remaining stages with the consent of all parties; for he foresaw this, and he begged to forewarn the friends of the operatives of the consequences, that, should the measure be forced down the throats of the masters, continued disputes and heartburnings would be the consequence. He hoped sincerely that a course calculated to avoid such disastrous results would be adopted.

Mr. AGLIONBY explained, and repudiated the sentiments which had been attributed to him by the hon. and gallant Member for Perth (Mr. F. Maule).

Mr. W. BROWN was not surprised that the hon. Gentlemen opposite, who did not see any danger to the general interests of the country from protective measures, should take the course which they had done; but he was astonished and amazed to find that so many of his own friends, who were the declared advocates of commercial freedom, should support the Bill now before the House. He was well aware that the Bill had been brought forward by two Gentlemen as kind-hearted, as amiable, and as honest, as could be found in that House, or out of it; but he did feel, as regarded his hon. Friend the Member for Salford, that his kindness and benevolence of heart had, in the present case, perverted his judgment. He could assure the House that nothing would have afforded him greater pleasure than to have supported the Bill, had he been able. His conviction, however, was, that the effect of the measure, if passed into a law, would be similar to the injury inflicted upon the commercial interests of France by the revocation of the edict of Nantes by Louis XIV., by which skilled artisans were banished from their native land, and a blow inflicted from which France never recovered. Knowledge was spoken of as power; and so was commerce. It was commerce which had enabled England, during the most trying times, to resit and lay prostrate the colossal power of France; and was the House now prepared to interfere with and discourage this power? He hoped the House would pause before it adopted such a course. The hon. Member proceeded to predict that if the Bill passed, it would not be possible to keep the manufacturing towns in a progressive state of improvement, and the consequence would be, that the population would be driven back upon the rural districts, thus causing a great increase in the poor rates to be paid by the agriculturists, besides depriving them of the profit of supplying a large body of operatives with the necessaries of life to be paid for from wages. As regarded the competition of foreign countries, England stood in a very different position from what she did some years before. Her competitors were Germany, Belgium, France, and the United States; and in the struggle which existed, a halfpenny or a farthing per pound turned the scale in favour of the one country or the other. Thirty years of peace had made a great difference in the circumstances of these countries. It had enabled them to accumulate capital, and railroads had given access to mineral wealth, and had enabled the foreign manufacturers to press hard on the footsteps of England. Reverting again to the Bill, the hon. Member gave it as his opinion that it was a direct infringement on the liberty of the subject, and was robbing the poor man of a portion of the only capital he possessed, his labour.

MR. BORTHWICK said, that if the speech of the hon. Member had any meaning at all, it was this, that the proposal made through the hon. Member for Glasgow was not a *bonâ fide* one; on the contrary, that it was brought forward with the view of ultimately defeating the Bill. If, therefore, he entertained any doubt of the propriety of immediately proceeding with the Bill before the hon. Gentleman rose, the speech he had delivered had left no option to the supporters of the Ten Hours Bill but to proceed; because the whole of his speech, from the beginning to the end, was an argument against the very principle of the Bill. Under these circumstances, the supporters of the Bill had no alternative but to go on, although the proposal, instead of being a postponement for a fortnight, had only been for a few hours. They had heard much of the competition in Bohemia and Switzerland; but he would remind the House that these were Roman Catholic countries; and he was satisfied that, by the interposition of saints' days, they worked fewer hours than this Bill proposed. He trusted the Speaker would not permit a discussion on the general principle to be got up under pretence of the present Motion for adjournment. With regard to that Motion, he could not give it his support.

MR. BRIGHT wished to make a few observations on the petition presented by the noble Lord at the head of the Government. It would be recollected that, some time ago, a memorial was laid on the Table of the House, signed by 400 firms, which represented five-sixths of all the capital invested in the cotton trade. The names of the parties, and the number of hands employed in each, were affixed to the memorial. The total number so employed was upwards of 150,000. The petitioners who had signed the petition presented by the noble Lord represented themselves as master spinners and manufacturers, and also that they largely employed the labouring classes. The first name affixed to the petition was that of the hon. Member for Oldham, to which there could be no objection; but he found the signatures of thirteen other persons, almost immediately following, who were not manufacturers. One of them lived within a stone's throw of his own residence, but he had never heard of his being either a manufacturer or spinner, nor did he believe that he was. There was also affixed to it the name of John Scholesfield, living near Rochdale, who described himself as a flannel manufacturer, but who employed only eight men. There was also the name of John Wilde, waste dealer, who employed four persons; and so it was with several others whose names he found on the petition. He believed that few, if any, of the petitioners had any connexion with the employment of steam power or water power in the cotton manufacture. He regretted that such a petition had received the sanction of the noble Lord the Prime Minister, for it had been presented by him; and above all, after the memorial had been presented to him, signed by the representatives of many firms, the capital employed by whom could not be less than 100,000,000*l.*, whereas, the amount of that in the possession of the parties who had signed the petition presented that night, probably did not exceed one million.

The noble Lord must be much more simple than he supposed, or the noble Lord had been much imposed on by those who had brought the petition to him. The noble Lord had not done his duty by this Bill, for he had not stated the grounds upon which he had formed his opinions in favour of it. The noble Lord had been asked to do so when the measure was brought in, but the noble Lord did not. On the second reading, the noble Lord had been called upon to express his opinion, but declined, and now they were going into Committee on it, the noble Lord refused. He should not blame the noble Lord for this, if the noble Lord had not been the Prime Minister of the Crown. Since he had first taken part in public affairs, he had been accustomed to regard the noble Lord as a man of great judgment, and of high courage; and as he had been accustomed to sit on the same side of the House as the noble Lord, he had been accustomed to follow in his steps as those of a leader; but he felt grieved that on the very important question before the House, the noble Lord had declined to state the grounds why he supported the Bill. The noble Lord said that this was not a question of principle, but one of degree; but was a question which involved the stopping the employment of the capital and machinery of the country to a very great extent to be so considered? But whether it were a question of principle or degree, he was surprised that the First Minister of the Crown had allowed it to go so far without stating the grounds on which he had arrived at a conclusion respecting it. He would refer the House to a recent number of a very popular periodical publication, which contained an interesting description of the ragged and industrial schools at Dundee, and which described the effect which the last Factory Bill had had on the employment of children, and on their habits at that place:—

> "There are parents in Dundee who have been known to remove their children from factories in order to make them beggars. It is all a matter of shillings and pence. An Act of Parliament was some time ago passed to prevent children under a certain age from attending in factories more than six hours daily, exclusively of three hours for education. Since this came into operation, the wages of such children have been reduced to fifteenpence a week. The parents of many, believing that more may be realized by begging, remove their children from the mills, and send them out as mendicants. Latterly, a new alternative has presented itself. The Industrial School is known to give three meals a day; and the question arises, whether this quantity of food, independent of the charge taken of the children, is not of greater value than the fifteenpence weekly received from the mills, or the money picked up by begging. . . . On the day of my first visit to the School of Industry, several children who had been abstracted from factories applied for admittance, but were very properly refused. One girl, however, who had passed through the transition state of mendicancy, I found had, for a special reason, been received some weeks previously. This unfortunate being confessed to me that she had been formerly employed in a spinning mill; that her mother took her away from that occupation because she only got a shilling a week, and had sent her into the streets to beg; from which she was afterwards brought here to school. . . . In the school a book is kept, in which the particulars of all applications are entered. From this record the following extracts have been handed to me:—'Dec. 13, 1846. William B——, thirteen years old, applied. Father dead. Boy was working at Mr. Edwards' mill; had left, being taken away by his mother in summer, because he was on half time, and has been wandering about the town and country since. He left the work because he got only one shilling weekly. Case refused. Dec. 15. Jessie R——, eleven years old. Applied under the name of Mary Bachelor, daughter of James B——. Lives in Bonnet-hill, Dundee. About a year ago she was taken by her parents from Messrs. Baxter's mill because she was on half time, earning only one shilling weekly, and was sent into the streets to beg. She pretended to be deaf and dumb, and was taught to act in that manner by her father. Admitted.' This is the girl with whom I conversed in the school, and she was described to me as having been a dexterous impostor. She had been induced to speak only after a course of kind treatment."

It was proved by the returns of the factory inspectors that there were between 29,000 and 30,000 more young persons employed under the age of 13, than before the passing of the last Bill. He believed that it was a total mistake to suppose that because you prevented young persons being employed in one description of labour, you prevented them from resorting to other kinds of employment against which no objections could be urged. The system which was now proposed of interfering with labour, was one of which Robert Owen should have the credit, and not the First Minister of the Crown. Robert Owen was the proposer of it some years ago, and he had received a newspaper from him a few days since, from which it appeared that this plan had been before the Legislature of the United States, where a Committee had been appointed to investigate the subject; but the result of their deliberations was that they could not come to a satisfactory conclusion. The principle of the present measure went so much in the teeth of the millowners, that the House might depend upon it that it could not be carried out without their sanction. The number of inspectors must be greatly increased, and the result would be that if the Bill did not destroy the manufacturers, it would harass the owners of capital so much that they would form such a formidable combination that the House could not succesfully legislate against it. The hon. Member for Knaresborough said that the working classes would revolt if this Bill was not passed. Nothing could be more contrary to the fact, for he found that great numbers of the working classes had recently entertained great doubts as to the advantage of such a measure; for experience had shown them that all previous reductions on the period of labour had been followed by a reduction in wages, and they believed it would be so again. The manufacturers preferred that the Ten Hours Bill should pass rather than the Eleven Hours Bill. The working men also wished for the Ten rather than an Eleven Hours Clause. The manufacturers said, that if a Bill on the subject was to pass, they wished to try the principle to the full extent, so that the operation of it could be fairly tested. He should, however, support any proposition for the delay of the measure, which was not of a factious character. He had not heard of the proposition of his hon. Friend the Member for Glasgow until that morning, as he had only just returned to town. The consideration of that subject involved an amount of trouble which he would not take upon himself; but, as it showed that there was a disposition to come, if possible, to some arrangement, what objection could there be, on the part of the supporters of the Bill, to listen to it? With respect to the speech of his hon. Friend the Member for Salford, which had made a great impression on the House, he had an observation to make. His hon. Friend would recollect that since the days when he was employed in the House, no children under the age of 13 could work above six hours a day. There was no doubt but that his hon. Friend was under 13 at the period to which he had referred. They should recollect that in nearly all other trades young people were apprenticed at the age of 14; and he could assert without fear of contradiction that a greater number of those apprentices of about the age of 14 were standing on their legs at work for upwards of twelve hours a day, than the number of all those employed in the factories between the ages of 13 and 18. How, then, could the pretext of cruelty, and of over severity of work, be applied in this case, where there was so much larger a number of young persons engaged in less healthy occupations for a much longer period of each day, and where the temperature and air was not nearly so good? He had been exposed to great obloquy, as the hon. Member for Knaresborough knew, for the part that he had taken on this question; but he opposed this Bill as he supported the repeal of the Corn Laws, from a sincere conviction that they both tended to promote the welfare of the labouring classes. He believed that this Bill would prove most injurious in its operation on the working classes, as well as on the manufacturing interests of this country. Most of the manufacturers were most strongly opposed to it; and nearly all the distinguished writers on politico-economical subjects took the same view of the subject. He should give his vote to the Motion of his hon. Friend, as it would tend to retard the Bill. As for Her Majesty's Government, he was astonished at the course taken by them since 1844 on the occasion of the first Bill; and when they first did so he ventured to prophesy what the result would be, and that it would show that there was nothing so blundering as faction, nothing so blind as party. He hoped that the noble Lord and the other Members of the Government would return to those principles which they had formerly held on this subject; but if they did not, he believed that such would be the effect of this measure, that a retribution would overtake them from which their character and reputation would suffer in the estimation of the country.

MR. HINDLEY appealed to the right hon. Member for Tamworth whether it were possible for the noble Lord the First Minister of the Crown to have spoken on the last Wednesday that the Bill was before the House, in consequence of the late period at which the right hon. Gentleman had addressed the House. The hon. Member for South Lancashire had, to his astonishment, charged three free-traders who had supported this Bill with being void of judgment and common sense. Would the House allow him to read an extract from a speech made by an eminent free-trader on the occasion of the Factories Bill in 1844. He alluded to the speech of the hon. Member for Stockport, who said—

> "Now he could tell the hon. Member for Finsbury, who called himself the representative of the

> working classes, in the first place, that the working classes were no more the advocates of monopoly than the free-traders were; and secondly, that the free-traders were taking the only rational and practical means, and it would come to that by and by, of diminishing the labour of the working classes, their hard and unreasonable hours of labour. He did not say, as had been said by others, that a reduction in the price of bread would alone afford compensation to the labouring classes for a reduction in the hours of labour. He did not see in the mere reduction of the price of wheat, or sugar, or coffee, the great means of enabling the operatives to get on with fewer hours of labour; but he said this—that if we enlarged the various markets for our productions, if we allowed a full and free exchange of our commodities for the corn, and sugar, and coffee of other countries, this would be the practical means of raising the value of our products, and, consequently, of raising the value of the labour which produced them; so that then, indeed, ten hours labour might be as good, or better than twelve hours now for the pockets of the labourer, and produce as much profit to the employer."

After this, with what face, he would ask, could the hon. Member come down to that House and charge the free-traders who supported this Bill with inconsistency? He had given his support to the principle of free trade, and he and his friends had been led to suppose that they would receive the support of these Gentlemen in the diminution of the hours of labour. There was one of that body, of whom he could not speak with too much respect, he meant Mr. Robert Greg, who had last year voluntarily reduced the working hours of his mills to eleven hours; but he could get no one to second him in this proceeding. It was with the greatest reluctance the Manchester manufacturers had come to working short hours, notwithstanding the embarrassed state of the cotton trade. In addition to this, he found that the hon. Member for Durham had not always been against a measure of this kind, for upon the occasion to which he had just referred, the hon. Member agreed with the hon. Member for Stockport in his views on the question. The hon. Member then stated—

> "He agreed with the hon. Member for Stockport in thinking it would be a very excellent thing if the workmen could live with ten hours labour, and he believed they might if the House did justice to the industrious population. The manufacturers did not come to that House to ask for favours. He, for one, would scorn to ask for that which was not given to the rest of his fellow-countrymen; but the manufacturers desired that the House, instead of passing a measure which would tend to restrict their market and diminish wages, should give to their workmen the means of obtaining sugar, bread, and other necessaries at a low rate. If there was any real sympathy for the working classes on the part of this House, there would be a disposition to give freedom to their industry, value to the produce of their toil, by relieving them from all restrictions on trade, rather than by miserable legislation on principles false and mischievous, to endeavour to restore a prosperity which their own blunders had well nigh destroyed."

He lamented, as a free-trader, that others who professed similar principles, and were most active for the repeal of the corn laws, had not adhered to their promises, and supported the present Bill. He was too anxious for the Bill to go into Committee to trespass longer then on the time of the House.

Mr. FIELDEN was astonished at the assertions which had been made by the hon. Member for Durham, for he had placed the petition against which this protest was entered in the hands of the noble Lord a fortnight since. That hon. Member had complained, in the protest which he had presented, that the millowners who had signed the petition were not men of property, and that it consequently was not entitled to the attention of the House, and had contended that his own protest was a more valid document. But if it were so, why were not the names of the several partners in the different firms given, together with a statement of the number of men employed in each factory, for that would have given validity to the assertions which it contained. There were 323 firms whose names were signed to this protest; and it was pretended that they represented a constituency of 528,000 people; but he would like to know whether the hon. Member for Durham would make himself responsible for the respectability of these firms, as he would make himself responsible for those who had signed the petition presented by the noble Lord. The memorial appeared to have been got up in some attorney's office at Manchester; or, perhaps, at the office in Fleet-street. There were also signed to that document the names of seven persons who had signed the petition presented by the noble Lord. He would ask the hon. Member for Durham whether he had not taken a leading part in the committee which got up this memorial or protest; and he would further ask whether the hon. Member did not draw it up himself? It apparently was signed by several firms who, he was assured, had never assented to have their names to it. This was the case with some manufacturers of Ashton-under-Lyne, and other places. Mr. Smith, of Preston, said that he had never signed it; and he could quote the names of many other gentlemen whose names were to it, but who had never given any authority to place them on it. The memorial, as he understood, was not signed by the parties themselves, but was got up by means of circulars at an attorney's office at Manchester; while the petition presented by the noble Lord had on it the names of some of the most distinguished men in Manchester, well known throughout the whole of the manufacturing districts. And what did these people say? Why, they wanted to convince him that he did not understand his own business. He, however, would not give way to any body of manufacturers on this question, and he should be ashamed of himself if he did so. More than thirteen years ago he had stated the whole of the case to the millowners, and had then recommended them to adopt the ten hours system. And look at the benefit that would have arisen from it. There was the hon. Member for Durham himself, whose mills were at the present moment entirely at a stand-still, and all his hands standing idle. He did not hesitate to say, that if this Ten Hours Bill had passed last Session, and was at present in operation, that every mill in Manchester would be now at work. England possessed an amount of capital and machinery which, turned to the best account, would enable her to supply all the markets in the world without requiring that the working classes should be employed for more than ten hours a day; and the fact being so, why should they be required to labour for twelve? No man acquainted with the subject could doubt that, even with every restriction, this country could supply the markets of the world. He remembered that in 1833, and subsequently to that period, the plan of working with relays of children was brought under notice, and that children under a certain age were not employed; but it appeared to him that the adoption of the ten hours limitation of labour was to be preferred. The hon. Member for Durham had told them that five-sixths of the capitalists of Scotland had signed the memorial. Now, he believed that to be one of the greatest falsehoods that could be uttered on the subject. There was a point relating to what passed recently between him and the hon. Member for Glasgow, to which he wished to solicit the attention of the House. He understood that hon. Member to complain that having communicated his intention to him to state his views to the House on the subject of the present measure, he (Mr. Fielden) was not present yesterday to hear them. Upon that subject he begged to say that he had not had any communication with the hon. Member respecting any intention which he might have entertained of stating his views to the House. If he had understood the hon. Member for Glasgow to say that he had intended to make any communication to the House, then he (Mr. Fielden) should have taken care to be present in his place. He did not understand the hon. Member to say that it would have been otherwise than a private communication; and no particular time for making it had, as he conceived, been agreed upon. To recur, however, before he sat down, to the subject of relays, he must be permitted to say, that nothing could be more unsatisfactory than the relays were to the manufacturers. From 1833 to 1846 they had infant labour for eight hours a day. Under such circumstances, there was great difficulty found in carrying on the works; so great that the factory inspectors recommended that the children should work only half the day. But, notwithstanding the disappointments which attended that experiment, the hon. Member for Durham said they might try it again; it, however, had always been thus. Every year some new scheme was proposed, which, in fact, was only brought forward for the purpose of delay. They had heard a great deal that day from the hon. Member for Durham respecting the views entertained by the millowners; they had also heard much from him respecting the sentiments of the working men; but if the hon. Member really wished to be able to speak with authority respecting the sentiments of the working men, why did he not meet him (Mr. Fielden) at Halifax, and Huddersfield, and other places, where large assemblies of the working classes were convened? Why did not the hon. Member go there, and argue the point before the working men themselves? The hon. Member had the gift of the gab, and would not have hesitated to address the working classes if he felt himself to be the advocate of a sound cause. Not wishing, then, to trouble the House further, he should be content with expressing his resolution to adhere to the principle of ten hours.

Mr. BRIGHT was sure that his hon. Friend did not mean to say that what he (Mr. Bright) had stated was untrue. The mistake with reference to the memorial had arisen from the misprint of some names. It was got up in this way: there was an association of manufacturers at Manchester, and they had sent circulars, embodying the substance of the memorial, to several hundred of firms engaged in the trade; and answers had been received from a great number, and the names of those who had returned favourable replies had been affixed to the document. The whole of the letters and papers were in existence at Manchester, and if there was any doubt on the subject they could be seen. What had occurred with respect to the signatures was merely a misprint. Two of the names were Roston; and the other, as nearly as could be ascertained, was Charles Haine; the mistake arose solely from a misreading on the part of the printer to the House of Commons. With respect to the manner in which the signatures to the memorial had been obtained, he begged to say that when the memorial was prepared, letters of application were sent round, according to the *Directory*, to the different firms, inquiring if they wished to sign. Their answers were received, and placed in the office of the town-clerk of Manchester, where any one might see them; and it was under the authority of those answers that the names were affixed to the memorial. There were many firms of the same name, and, in many instances, partners signed for the firms to which they belonged; besides, there were firms consisting of many partners.

Mr. DENNISTOUN wished, in explanation, to state that he had met the hon. Member for Oldham in the gallery of the House on Monday, who had asked him whether he intended to support the Motion of the hon. Member for Tavistock (Mr. Trelawny); and his reply was, that the hon. Member had not brought it forward with the sanction of the manufacturers. He then said that he had received a communication on this subject from Glasgow, which he had given to the noble Lord, and was to see him again respecting it on the following morning, when he would state the result to the hon. Member. He had, therefore, come down to the House with great inconvenience to himself at an early hour yesterday afternoon in the full anticipation of meeting the hon. Member, so that as far as he was concerned he was under a wrong impression; as it was clear also that his hon. Friend was labouring under a similar impression, he was sorry that he had made the allusion which he did yesterday.

Mr. STANSFIELD was sure his hon. Friend had brought forward the proposition with the view to an amicable arrangement between the masters and the workmen. If, therefore, his hon. Friend divided, he should vote with him, although he should be sorry to do anything which would appear like throwing a factious delay in the way of the Bill.

Sir R. PEEL could not support the Motion to postpone the Committee for a fortnight. It appeared to him that it was only a Motion for delaying the Bill without sufficient reason. The Bill had been already fully discussed upon two preceding occasions; it was now proposed to delay the Bill going into Committee for a fortnight, which would bring the House to the Wednesday immediately preceding the adjournment for the holidays—a day which he did not think would be a very convenient one for the purpose of discussion in Committee; and the consequence would be the postponement of the Bill till after Easter. He did not think that sufficient ground had been made out for delaying the measure; and he should, therefore, feel it his duty to oppose the Motion.

Mr. DENNISTOUN said, that seeing what the opinion of the House was, he thought he should ill discharge his duty in pressing his Motion, and would therefore withdraw it.

The Motion was accordingly withdrawn.

Mr. SPEAKER again put the question that he leave the Chair.

Lord J. RUSSELL said: The hon. Gentleman the Member for Durham has complained very much that I have not taken part in this discussion. As the hon. Gentleman has so complained, without entering further into the causes which have prevented me from addressing the House, I will now state, as shortly as I can, the reasons which induce me to support this Bill. But I hope neither the House nor the hon. Gentleman will forget that on the first occasion I did state, very shortly indeed, the reasons which induced me to support this Bill; and that if I did not take more than ten minutes upon that occasion, the reason was, that the hon. Gentleman who has taunted me and thrown reproaches on my conduct, had left me only ten minutes to speak in. The right hon. Gentleman the Member for Tamworth, on a former evening, stated that he expected to hear my opinions on this subject; and, although I have no doubt that he meant to conclude in sufficient time, or at least leave half an hour for that explanation, it was obvious that he was led on by the argument into which he had entered, and that he was not able to finish that argument in the time he expected; so that again there being only ten minutes left, I thought it would be quite unnecessary for me to rise for the purpose of occupying so small a space of time. Upon this day the friends of the Bill were exceedingly anxious that we should at once go into Committee upon it; and I came to the House, therefore, with the intention of speaking upon the subject; but had we not now reached four o'clock without going into Committee, I should still have run the risk of any imputation or charges on my silence, rather than delay the progress of the Bill by any observations I have to offer. Before, however, I make any such observations, I must say that I do not think the hon. Member for Durham is quite entitled to lecture me for my conduct. The hon. Member spoke of a retribution for the conduct which I and my Friends pursued in 1844. At that time, differing as I did from some of my Friends who were closely connected with me in party, and who would be connected with me in office if I came into office, I thought that such a difference must lead to inconvenience and embarrassment; but, taking the view I did of the question then before the House—thinking that a Bill of this kind would be of benefit to factory children, I gave the Bill then under consideration my support, and I am willing now to bear the inconvenience of that vote. If, however, the hon. Member means to imply, by talking of retribution, that I was then merely factiously endeavouring to thwart and oppose the Government of 1844, I beg to tell him that such imputations are easily retorted. He might be told of great manufacturers, deeply engaged in the Anti-Corn-Law League, who said that ten hours' labour would be quite sufficient if the corn laws were repealed. If I were disposed to retort imputations, I might urge that they held this language merely in order to get the working classes to support the repeal of the corn laws; and that now that object is accomplished, they have not realized the expectations they led the working classes to indulge. That is not my belief; but I remember speaking with gentlemen largely engaged in cotton manufactures, who told me they were sincerely persuaded that if the corn laws were repealed, ten hours would be sufficient; and that by an amicable agreement between the masters and the men, such a change would be made. I give these parties every credit for sincerity; but when they now declare that they are not able to carry their intentions in this respect into effect, let not representatives connected with the Anti-Corn-Law League load me with the imputation that I did not intend to benefit the working classes in 1844, when I supported Lord Ashley's Bill without an ulterior object. Sir, the form of the Bill now before the House, and the object which it proposes to carry into effect, are, I think, quite unobjectionable. It appears to me—and that question has been debated before, so that I need hardly go into it now—that an endeavour to limit the labour of young persons to hours to which their strength was equal, was a perfectly legitimate object for this House to pursue. It is said that it will indirectly limit the labour of adult persons. Admitting that to be the fact, I say that, as a principle of legislation, there is the greatest possible difference between legislating for the protection of women and young children, and thereby indirectly affecting the labour of the country in general, and enacting the principle that there should be a limitation of the labour of adults. I think it would be just as reasonable to argue, with respect to a Railway Bill for a railway from some seaport town to London, that the objections to it were, that it would put an end to the coasting trade between that seaport and London, as that must be the indirect effect of it, as to say that the principle of this legislation is unsound, because it may have an indirect effect upon the limitation of adult labour. But with respect to the limitation of time, as I have said, the object is a perfectly legitimate one; and I think it cannot well be doubted that great benefit would be practically derived from that limitation of the labour of young persons. The right hon. Gentleman the Member for Tamworth said, that it ought to be our object to elevate the character of the working classes; to give them as much means as possible for their moral and religious instruction; to give them as much time as possible to cultivate their domestic affections, and to learn domestic habits. But I own that whatever we might do in that respect directly for the purpose, would be counteracted and thwarted by the practice of employing persons of that age in factories to the extent of fourteen hours a day. If young persons between 13 and 18 are to rise at five in the morning, and be employed till seven in the evening in a laborious occupation, I cannot see that there would be any sufficient time either for learning, for religion, for the cultivation of their minds, or for that domestic intercourse which is so valuable to all classes of the community. It seems to me that it would be vain to say, with respect to this large class of persons, that we should endeavour by every means to elevate their character and improve their domestic habits, and at the same time to allow them to be constantly employed for fourteen hours a day from the 1st of January to the 31st of December in factory labour. I cannot think that the two things are compatible; and I am not deterred by the arguments I have heard used that we make no provision by this Bill, supposing it were to pass, that that time should be usefully employed. I should be quite content if, instead, this hour, supposing the time to be reduced from twelve to eleven hours, is passed by them in their own homes, with their parents and brothers and sisters, in kindly intercourse. I should think that a compensation sufficient, without any obligation of reading or acquiring other knowledge. If it is a desirable object, then, that more time should be allowed to these children for those purposes to which young persons of that age ought to apply their minds and their attention, let us consider next that very great question, which I confess is raised by this Bill—Can you do this? Can you give that advantage to the sons and daughters of the working classes in the manufacturing towns, without at the same time injuring the manufacturing industry of the country—without depriving a great number of persons of their employment, and thereby, in fact, injuring the very classes you wish to benefit? I admit that this is a very large and formidable question; and I admit that, though the limitation of time may be indirect, the practical effect of it may be thus to deprive those classes of employment, and to drive the produce of manufactures out of this into foreign countries, and that that is a very serious consideration for this country; yet, in considering that question, I do not think that the case of a very great injury, which it is supposed would arise, is at all made out. In considering this question, let us consider that it is not altogether the whole question, as has been stated, of 37,000,000*l.* of exported manufactures; because, with regard to a portion of those manufactures, the limitation to eleven hours is a limitation which practically is carried into effect in some manufactories already. It has been established lately by one of the greatest manufactories in this country—by Messrs. Marshall, of Leeds, who are carrying on their great flax mill only eleven hours a day, and I must suppose that they are carrying on that concern with profit with that limitation. We have been told in former debates on this subject, that many other manufacturers at Leeds, engaged in other branches of occupation, do not employ their workpeople more than eleven hours a day; therefore, the question is not altogether one of the whole of the exports of manufactures, to which allusion has been made. But let us next consider how many various elements there are in the price of the article which is thus to be sent abroad to compete with the produce of the foreign manufacturer. With respect to cotton, for instance, there is, first, the original price of the cotton; there is the freight in bringing it across the ocean; there is the commission to the merchant at Liverpool. Afterwards it has to be worked into thread, and afterwards into some species of manufacture; it has then to be embarked again in a ship, and perhaps conveyed to China, to compete with some French, or Swiss, or American manufacture. In putting together all these elements of price, there are very few indeed, in fact only one, in which any loss is to be suffered by the manufacturers by this Bill. I am speaking now of the manufacturer—I will come to the labourer afterwards—and of his power to compete with the foreign manufacturer. In the first place, the original price at which he purchases the raw material is not altered by this Bill. In the next place, with regard to the wages, we must suppose that whatever is the value of the labour of twelve hours, that price will be paid for that labour; and that whatever is the value of eleven hours' labour will be paid for that labour. I have never contended that the same wages, or the same price, would be given for eleven hours, or ten hours, as would be given for twelve hours. I think we must always suppose, that whilst manufactures go on, the manufacturers would be giving generally for that labour exactly what it was worth; and that what is produced in a certain number of hours would bear a certain proportion to the wages paid for it. Well, then, what is the point at the last where the manufacturer would lose by this Bill? With regard to the amount of fixed capital, I would take it at 100,000*l.*

I have made inquiry with respect to this part of the question of different manufacturers. They have given different statements; but I will take it as one of them has stated it to me. He has stated, that he reckons the interest of that fixed capital at 5 per cent—he reckons the wear and tear of his machinery at 6 per cent—he reckons that the oil, and coal, and tallow, and various materials for keeping up the working of his machinery, is 12 per cent—and 1 per cent he reckons for gas; making, altogether, 24 per cent. With regard to the oil, coal, and gas, and wear and tear, if there is a reduction in the number of hours, there is an equal reduction in those items; so that, in the end, there is only 5 per cent upon which any loss can occur—that is to say, with regard to all the others, in order to keep up his machinery, there is no change at all; but the less number of hours, the smaller will be the quantity of the article produced; and there will, of course, be some loss, therefore, with regard to the interest on the fixed capital. As far as I can see, this would be the result of a reduction of the number of hours; but we have, on the other hand, to consider what has been the state of our manufactures in past years, and what is their present state. Let us consider then, in the first place, with regard to the cotton trade, there was a tax amounting to about 700,000*l.* a year on the raw material. Let us reckon, in the next place, that there has been, as I believe, and as all those who voted for the repeal of the corn laws believed, a very considerable relief by the change in the corn laws. Whatever may be the ultimate reduction of price, this, at least, is obvious—there can be no longer, supposing the corn laws entirely repealed, that difference between the price of corn on the continent of Europe and in this country; and that consideration is just the same, whether you suppose the price of corn to be very high or very low. Supposing the general average of this country to have been *55s.* a quarter, and the general average of France to have been *45s.*, it must take place that the average of future years must be nearly the same in France and in England; and so, likewise, if there is a year of extraordinary scarcity and a deficient harvest, and the price should rise to *70s.* or *75s.*, the foreign manufacturer will not have the advantage of his corn at *60s.* a quarter, whilst the English manufacturer is obliged to have his workpeople living upon corn at *70s.*; but there will be an equalization of price. I think that that advantage is, at the least, equal to 700,000*l.* to those engaged in manufactures. Of this I am sure, that all those who contended in this House for a repeal of the corn laws always maintained, that it was the greatest disadvantage that they had to contend in foreign countries, in China or South America, against the foreign manufacturer, whilst they were debarred from the use of corn and provisions at the same price at which the foreign manufacturer could obtain them. I consider, therefore, that we have given two great advantages to the cotton maunfacturers of this country: first, by the repeal of the duty on the raw material; and next, by the repeal of the duty on corn. With regard to wool, there was a very few years ago a duty on foreign wool, which has since been taken off; and cotton and wool are the two great articles with the manufacture of which this Bill is to interfere. It is said, with regard to the workmen, that this must be a great loss, and that you are in fact inflicting upon them a very large diminution of their wages; but, with regard to that subject, the working men engaged in manufactures are, I find, willing to run the risk of that reduction. I believe, that the state of manufactures being the same, the working men will not be paid as much for the smaller number of hours as for the larger. But it must be remembered that the wages at any particular time depend upon the demand for labour at that time, and the price paid in consequence of that demand. I think, Sir, it is an assumption without foundation, that the working people, with their children and wives, are employed for twelve hours every day in the year at present, and that the production of this country is to be measured by that standard. It is always argued as if there is produced every year from the mills of our manufacturers an amount which is equal to the production of twelve hours' labour per day, and that you are now going to reduce it one-sixth. The hon. Member for Durham says that assertion is perfectly true; yet I have heard it stated in the course of this debate, and not contradicted by him, that with regard to his own mills that is not the case. It was stated by my right hon. Friend the Chancellor of the Exchequer the other night, that there are many mills in Lancashire that are totally stopped at the present time—that there are others which are working short time, eight or ten hours a day; and others only working three days a week. So that our production at the present moment is not what is assumed by this argument, but is diminished at a time when there is a glut of our manufactures, and when there is no sufficient employment for the people. Then, Sir, speculating on what is going to happen —disavowing, as I do, any intention of legislating in order to make employment more equal, it yet seems to me that with an Eleven Hours Bill we shall see more steady and equal employment extended through different years than we have at the present moment. It has been said that, under the operation of this Bill, there might not be at certain times a sufficient number of mills to supply the demand. At all events, that is not the case now. No one will maintain that there is now any deficiency of the power of producing cotton sufficient for the demand of the world. I own that, so far from considering this a bad or uncongenial time to pass an Eleven Hours Bill, it seems to me a peculiarly fit time; because the production of Yorkshire and Lancashire can be kept up without adding a single mill or power-loom to the manufacturing power of the country. If the Bill restricting the hours of labour of women and children to eleven hours should pass, I think that the production of our manufactures will be equal to what it now is—that there will be fewer fits and starts —that there will be more equal employment—and that the manufacturing power of the country will be brought into force more equally and more steadily than at the present moment. But then it is said that, after all our endeavours, such is the keen competition kept up by foreign nations, our manufacturers will be unable to meet that competition. Well, if that be so, I should like to know how it happens that they have been able to meet that competition until now, under the heavy disadvantages which are now removed? I am obliged to ask that qnestion, because I see that our manufacturers have been working under disadvantages that ought to have absolutely overwhelmed the manufacturers of this country, if the apprehensions of foreign competition had been well founded. Take the case of Russia. In Russia, the people are allowed to work ninety hours per week, and money is advanced by the Government of that country to support the cotton manufacture. There is no tax on the raw cotton, and the people of that country have the cheap corn which our manufacturers have been unable to obtain. With these advantages, Russia ought to have beaten out of the field the manufactures of this country. It would have been impossible to keep our position. But I believe that these things depend on many considerations, rather than on the mere circumstances attending the manufacture. I believe that this country derives its manufacturing prosperity from the general freedom which it enjoys, as well as from its greater manufacturing skill; and these are advantages of which you will not be deprived by reducing the hours of labour for young persons to eleven hours per day. I see that in many countries manufactures have sprung up, and that in others they have decayed; but it is, I think, impossible to say that these changes have followed effects of this nature, or that their permanence can be estimated by these considerations. Take the case of America. The competition of America, you say, is dangerous; but, in one of the States—Massachusetts, I think—there is a law that no persons under the age of 15 years shall work more than nine months in the year in a factory; the other three months being devoted to their education. Why, if it were proposed to enact such a law in this country, that all young persons under 15 years should abstain from work for three months in the year, we should be told that such a measure would be fatal to our manufactures; and that it would be impossible to keep up the competition with America. Yet America keeps up, notwithstanding, a competition with this country; and she will continue to furnish a great part of those manufactures which go to other parts of the world. These things depend upon general considerations, upon the commercial enterprise of a country, and upon its manufacturing skill. Thus it happens that Russia is unable to compete with us in manufactures; while America, with great disadvantages, and with wages a third more than ours, is able to keep up this competition with us. The general rule of wages in the mills in America is, I believe, 15*s.* per week against 10*s.* in this country. Sir, if it be right and wise to restrict the hours of labour of young persons and women to a period not exceeding eleven hours per day, I look forward with confidence that the fears so loudly expressed on this subject will give place again to confidence soon after the Bill has come into operation. We have seen repeated instances in which measures of this kind have been introduced, and have met with complete success; and I think we shall be better off in every respect after this measure has passed. I believe it will be better to enact a Bill for eleven hours than for ten. The hon. Member proposes to limit the number of hours to eleven for the present year; but I think it will be better to take eleven hours for the future rather than to go to the shortest limit proposed in the Bill. Sir, I do not believe that our manufacturing prosperity will suffer if such a Bill should pass; and I think that if it is possible, without injury to their own interests, you owe it to the rising generation to make an alteration so beneficial to them. I cannot look with indifference to the statement that the great proportion of the people of this country have only to work, to sleep, to eat, and to die. In my opinion, it is the duty of the State to endeavour that you should have a population, in the first place, aware of the doctrines of religion; that, in the next place, they should be able to cultivate domestic habits and domestic affections; and that, in the third place, they should be likely to look up to the laws and Government of the country as their protectors from undue inflictions upon the young of this country. I do not see that these objects can be obtained, so long as the hours of young persons are so prolonged as they have hitherto been. I cannot see how a girl of 14 years of age, actually employed for twelve hours in a mill, and engaged there for two hours more, coming home tired and exhausted, and unable to do anything but rest, in order to be prepared for the labours of the next day—I say, I do not understand how that girl can be brought up to be a good wife and a good mother. I am ready to incur that risk which is said to attend the passing of an Eleven Hours Bill, in the hope of improving the character and elevating the condition of the manufacturing population. I may be mistaken in that view; but I can state that I act after seriously considering the subject. I am, therefore, ready to go into Committee upon the Bill; and I shall be ready when you leave the chair to vote for the clause limiting the labour of women and young persons employed in factories to eleven hours. I should wish the Bill to remain in that shape, and it will then show, that while the House has considered the arguments of those who object to the Bill, the measure remains a proof that this House is disposed to do everything it can to promote the relief of this part of the community.

House in Committee.

MR. DENNISTOUN asked whether, at that late hour—approaching five o'clock—it would be fair to proceed with the consideration in Committee of the clauses of the Bill?

MR. HUME thought that if the Bill were to be considered in Committee, the course of proceeding with it at once would be more just than deferring the consideration to another day. For his own part, he had already deprecated legislative interference with the hours of labour. He dissented from the principles of the Bill altogether; but as there appeared to be a determination to carry it through the House, he hoped that hon. Gentlemen who agreed with him would not be parties to any alteration of the clauses, but would allow them to be carried as they stood. He believed that, with a view to the final settlement of the question, the sooner the hours of labour were limited to eight, instead of ten hours, the better; for the operatives, having once gained the ten-hour concession, would not rest satisfied until the limitation was fixed at eight hours. He did not intend to propose a single Amendment, and he should advise other hon. Members who coincided in opinion with him to act similarly.

MR. BRIGHT: The noble Lord at the head of the Government had spoken on this subject, and had expressed an opinion favourable to the first clause of the Bill, which limited the hours of labour in mills and factories to eleven instead of twelve a day. Now, he took it that the clause would require to be altered, as it fixed a certain time, and that time the noble Lord did not desire to fix. If the clause stood at all, it ought to be final in its operation. There were, no doubt, very divided counsels on this point; but the House were fully in possession of his sentiments. He did not agree with the hon. Member for Montrose, that because they disapproved *in toto* of the principle of the Bill, they should suffer it to pass without seeking to amend the clauses. He felt bound at every stage to vote against the clauses; and, of course, the greater the limitation proposed and sought to be attained, the more zealously did he feel himself called upon to oppose it.

Clause 1, enacting that from the 1st of May, 1847, no person under 18 shall be employed in any mill or factory more than eleven hours in any one day, nor more than sixty-three hours in any one week, agreed to.

On Clause 2, limiting the number of hours to ten, from and after the 1st of May, 1848,

Mr. FIELDEN said, that the original intention of the promoters of the Bill was, that the eleven hour system should last until May, 1848, and that then the ten hour system should come into operation; but in deference to the wishes of a large number of persons connected with the manufacturing interests, he was desirous of extending the eleven hour period for an additional year. He should, therefore, propose to fill up the blanks in the clause by the insertion of the word "forty-nine," instead of "forty-eight," as they at first intended to do.

Mr. ROEBUCK: Before the clause is put, I wish to say a word. It was originally intended that the transition state from twelve hours' labour to ten hours' labour should be one year, to commence in May, 1847, and terminate in May, 1848, the ten hour system to have date from the latter period. The hon. Member for Oldham, however, appears to have abandoned that intention; and he seeks to leave the eleven hour system in operation until May, 1849. Now, one of the great arguments relied upon in support of the Bill throughout the entire of this discussion, was the evil consequences which resulted from the non-settlement of the question of factory labour; yet the hon. Member for Oldham wishes, if I understand his Motion aright, to leave the ten hour limitation unsettled for two years more—in spite of all that has been said. I am so accustomed to hear changes of opinion upon the subject, that I do not wonder at inconsistencies; but as the noble Lord at the head of the Government has rather angrily retorted on the hon. Member for Durham, I cannot help referring to my recollection, which I have somewhat refreshed by reading the particular passage, to an expression of opinion by the noble Lord, the leader of Her Majesty's Government, namely, that such a change in the hours of factory labour as that now sought to be effected "would be the most destructive that could possibly be applied to the manufacturing interest of England." That sentiment was uttered by the noble Lord in 1844, so that only three short years have since rolled over. [An Hon. Member: Not 1844, but 1842.] Yes, the hon. Gentleman is correct—I now remember it was on the 3rd of February, 1842. Still the change effected in his opinion on the factory labour question is just as great, and the hon. Member's correction of the date only shows that he was a little longer about it. The great argument, as I have said, relied upon throughout the debate, for interfering between the manufacturer and the factory operative, was the great mischief likely, nay certain, to be produced if the Legislature allowed the working classes to be constantly excited in expectation of a great change which is to bring about a state of perfection. With that oft-repeated statement staring him in the face, I cannot understand how it is that the hon. Member for Oldham has agreed to postpone the ten hour system for another year beyond the period originally arranged by the promoters of the Bill. For my own part, I should like that we began the ten hours period of labour at once, and I shall insist that the words May, 1848, as printed in the clause, do remain.

Lord J. RUSSELL: As the hon. Member has referred to this part of the Bill, I think that the hon. Member for Oldham, who has charge of the Bill, should put the clause in whatever shape he thinks best; but, for my own part, I shall only say that when we come to a division, I shall vote that the clause limiting the period to ten hours be omitted altogether.

Mr. FIELDEN said, the factory people were willing to work eleven hours a day for two years if they could come to ten hours after that period.

Mr. BERNAL pressed it upon the hon. Member who had charge of the Bill not to depart from his original intention as to the period when the ten hours clause should take effect.

Mr. FIELDEN said, he would leave the clause in its present form.

Mr. BOUVERIE considered that the limitation of the hours of labour proposed by this Bill would materially affect the interests of the children now employed in factories, and he had, therefore, throughout opposed the measure. The effect of past legislation on this subject had been to throw many children out of employment. The Act of 1844, which limited the labour of children under 11 years of age, in silk mills, to six hours, had very materially reduced the number of children employed in that branch of manufacture. He found, from the report of Mr. Horner, that in 1835 the number of persons employed in factories in his district was 145,000, of whom 22,000 were children under 13 years of age; while now the total number of persons employed was 155,000, of whom only 14,000 were children. The effect of this legislation in Manchester had been to drive great numbers of children, who were formerly employed in factories, to obtain employment as fustian cutters, a trade in which they were engaged for a greater number of hours than they would have been in factories.

Lord MORPETH said, that at this late hour of the afternoon, and after the opportunity he had before had of stating the course he should think it his duty to pursue on this question, he did not intend to trouble the Committee with his reasons for voting that this clause be expunged from the Bill. He would merely observe that, with the hope of securing the advantages which might be obtained from a limitation of the period of labour, and which had been eloquently shadowed forth by his noble Friend (Lord J. Russell) and other hon. Members who had taken part in this discussion, he was willing to consent to some reduction on the hours of labour; but, with the view also of diminishing, to the lowest possible point, the risk which he feared must be incurred by the adoption of such a measure, he could not consent to a greater reduction than that of one hour, at all events, till he saw the results which that limited reduction might produce. He was the more fortified in this resolution, because the period of eleven hours, to which the period of labour would by this Bill be reduced, was at this moment the regulated time for work with regard to an important department of trade in a large district of this country; and his opinion was further strengthened by the actual experiments which had been tried by Mr. Marshal, in Leeds, by Mr. Gregg, in Cheshire, and by Mr. Gardner, in Lancashire.

Mr. FERRAND observed, that after the statement of the noble Lord who had just sat down, he was surprised that that noble Lord could object to try the ten hours' principle. The noble Lord had stated that the eleven hours' system had been tried, and had been successful; and he (Mr. Ferrand) could not conceive, therefore, on what ground he should object to a limitation to ten hours.

Mr. DUNCAN referred to some statistics to show that the exports of flax and other articles of manufacture had very considerably diminished within the last few years; and he contended, on this ground, that the present was a most unfit time for attempting the important experiment now proposed. He believed that the measure would inflict the greatest injury on the country, and he, therefore, felt bound to oppose it in every shape and form.

The Committee divided on the question that the clause as amended stand part of the Bill:—Ayes 144; Noes 66: Majority 78.

List of the Ayes.

Acton, Col.
Adderley, C. B.
Aglionby, H. A.
Ainsworth, P.
Allix, J. P.
Arundel and Surrey, Earl of
Baillie, H. J.
Baillie, W.
Barnard, E. G.
Baskerville, T. B. M.
Bennet, P.
Bentinck, Lord G.
Bentinck, Lord H.
Beresford, Major
Bernal, R.
Blackstone, W. S.
Blake, M. J.
Brisco, M.
Broadly, H.
Bruen, Col.
Buck, L. W.
Bulkeley, Sir R. B. W.
Bunbury, W. M.
Butler, P. S.
Cabbell, B. B.
Cayley, E. S.
Chapman, A.
Chelsea, Visct.
Chichester, Lord J. L.
Christopher, R. A.
Codrington, Sir W.
Cole, hon. H. A.
Collett, J.
Conyngham, Lord A.
Courtenay, Lord
Cowper, hon. W. F.
Crawford, W. S.
Curteis, H. B.
D'Eyncourt, rt. hn. C. T.
Douglas, Sir H.
Douglas, J. D. S.
Duncombe, T.
Dundas, Sir D.
Du Pre, C. G.
Entwisle, W.
Etwall, R.
Evans, Sir De L.
Ferrand, W. B.
Finch, G.
Fitzroy, Lord C.
Fleetwood, Sir P. H.
Flower, Sir J.
Fox, C. R.
Frewen, C. H.
Fuller, A. E.
Gaskell, J. M.
Granby, Marq. of
Granger, T. C.
Grimsditch, T.
Grogan, E.
Grosvenor, Lord R.
Grosvenor, Earl
Hall, Sir B.
Halsey, T. P.
Hamilton, G. A.
Harris, hon. Capt.
Hatton, Capt. V.
Henley, J. W.
Hervey, Lord A.
Hildyard, T. B. T.
Hindley, C.
Hodgson, R.
Hollond, R.
Hornby, J.
Howard, hon. E. G. G.
Howard, P. H.
Humphery, Ald.
Inglis, Sir R. H.
Johnson, Gen.
Jolliffe, Sir W. G. H.
Kemble, H.
Lascelles, hon. W. S.
Law, hon. C. E.
Layard, Major
Lefroy, A.
Liddell, hon. H. T.
Lowther, Sir J. H.
Lowther, hon. Col.
Manners, Lord J.
March, Earl of
Masterman, J.
Maunsell, T. P.
Miles, W.
Morgan, O.
Morris, D.
Mostyn, hon. E. M. L.
Muntz, G. F.
Newdegate, C. N.
Newport, Visct.
Newry, Visct.
O'Brien, A. S.
O'Brien, W. S.
O'Connell, Dan. jun.
O'Connell, J.
Owen, Sir J.
Packe, C. W.
Paget, Col.
Pakington, Sir J.
Palmer, R.
Palmer, G.
Plumridge, Capt.
Polhill, F.
Rashleigh, W.
Rawdon, Col.
Rendlesham, Lord
Rich, H.
Richards, R.
Rolleston, Col.
Rushout, Capt.

Russell, J. D. W.
Ryder, hon. G. D.
Sandon, Visct.
Sheil, rt. hon. R. L.
Sibthorp, Col.
Smith, A.
Smith, rt. hon. R. V.
Spooner, R.
Stanley, hon. W. O.
Staunton, Sir G. T.
Stuart, J.
Strickland, Sir G.
Tollemache, J.
Tower, C.
Trevor, hon. G. R.
Troubridge, Sir E. T.
Turner, E.
Verner, Sir W.
Vyse, H.
Vyvyan Sir R. R.
Waddington, H. S.
Wakley, T.
Walker, R.
Wawn, J. T.
Williams, W.

TELLERS.

Fielden, J.
Brotherton, J.

List of the NOES.

Aldam, W.
Antrobus, E.
Baine, W.
Barkly, H.
Bell, M.
Berkeley, hon. C.
Bouverie, hon. E. P.
Bowes, J.
Bowring, Dr.
Brown, W.
Brownrigg, J. S.
Buller, C.
Busfeild, W.
Byng, rt. hon. G. S.
Carew, W. H. P.
Denison, J. E.
Dennistoun, J.
Dickinson, F. H.
Duncannon, Visct.
Dundas, hon. J. C.
Egerton, W. T.
Egerton, Sir P.
Evans, W.
Fitzwilliam, hon. G. W.
Forster, M.
Gibson, rt. hon. T. M.
Grey, rt. hon. Sir G.
Hanmer, Sir J.
Harcourt, G. G.
Hawes, B.
Hope, Sir J.
Houldsworth, T.
Howard, hon. C. W. G.
Hume, J.
Jones, Capt.
Lambton, H.
Langston, J. H.
Lawson, A.
Legh, G. C.
Lemon, Sir C.
Lindsay, Col.
Macaulay, rt. hon. T. B.
Mitcalfe, H.
Monahan, J. H.
Morpeth, Visc.
Ogle, S. C. H.
Patten, J. W.
Philips, M.
Protheroe, E. D.
Pusey, P.
Rice, E. R.
Ross, D. R.
Russell, Lord J.
Stansfield, W. R. C.
Stuart, Lord J.
Stuart, W. V.
Strutt, rt. hon. E.
Thornely, T.
Towneley, J.
Tufnell, H.
Vane, Lord H.
Villiers, hon. C.
Wall, C. B.
Ward, H. G.
Wood, rt. hon. Sir C.
Wortley, hon. J. S.

TELLERS.

Bright, J.
Duncan, G.

The remaining portions of the Bill agreed to. The house resumed.

House adjourned at a few minutes to Six o'clock.

HOUSE OF LORDS,

Thursday, March 18, 1847.

MINUTES.] PUBLIC BILLS.—1^a Drainage of Land.

2^a Markets and Fairs Clauses; Gas Works Clauses; Water Works Clauses; Commissioners Clauses.

Received the Royal Assent.—Consolidated Fund; Loan; Labouring Poor (Ireland).

PETITIONS PRESENTED. By Lord Portman, from the Thetford and Bridport Unions, for Alteration of the Law of Settlement, and for a National Rate.—From Trustees of the Harbour of Stonehaven, for the Establishment of a General Harbour Conservancy Board.—From Haddington, for Alteration of the Law of Elections (Scotland).—By Lord Brougham, from Members of an Independent Congregation of Watton, Norfolk, against the Proposed Government Plan of Education.—From Broughshane, for Revision of Law of Landlord and Tenant (Ireland).—From Devonport, for Legalizing Marriages with the Sister, or other more remote Relation of a Deceased Wife.

THE WELLINGTON STATUE.

The MARQUESS of LONDONDERRY said, that he wished to correct a statement which had appeared in the newspapers, and which had also been made in the other House, with respect to the Wellington Statue. Some of the members of the sub-committee had called upon him that day, and urged him to contradict the statement which had been made, namely, that the sub-committee was in a condition to place the statue on any other ground than that on which it at present stood. The sub-committee was not pledged to any new site. It could take down the statue, but nothing more. The committee was also of opinion, that when it had discharged its duty by taking down the statue, the statue itself would be seized by the Government. The subscribers would then have to make their own arrangements with the Government. The committee could have nothing whatever to do with them. He very much regretted that there should be this contention on such a subject.

The MARQUESS of LANSDOWNE: I am not officially aware of what has passed on this subject between the sub-committee and the Woods and Forests. When the noble Marquess talks of contention, I must state, that I am not aware that any contention has arisen on the subject of this work of art, other than the laudable contention of considering in what manner the greatest honour can be paid to the Duke of Wellington, and how the statue, so justly intended to do him honour, can be placed in the most conspicuous situation, and the one most conformable to the public taste; and the only contention that has taken place on this subject, has been how that can be effected, not only in conformity with the wishes of the Government and of both Houses of Parliament, but of the whole of this nation.

The MARQUESS of LONDONDERRY said, he only wished to state that the sub-committee could do no more than take down the statue, and place it at the bottom of the arch.

DESTITUTION IN IRELAND.

The MARQUESS of LANSDOWNE laid on the Table a copy of the correspondence with the Commissariat in Ireland as to the arrangements adopted in that country. In a day or two he should lay on the Table of the House similar correspondence with the Board of Works.

LORD BROUGHAM said, that a circular had been issued to all the priests in Ireland, directed from a place called Conciliation Hall, urging upon them the indispensable and imperative necessity of raising subscriptions for the repeal rent. All over Ireland efforts were to be made to struggle against the miseries of the people to obtain a dole for the repeal rent. He hoped that some due and stringent provisions would be taken, if such could be devised, to prevent any part of the millions spent by the people of England, Scotland, and Ireland, for works in Ireland, from finding its way into the coffers of Conciliation Hall.

The MARQUESS of LANSDOWNE said, that there could be but one opinion on the subject.

THE GENERAL FAST.

The MARQUESS of LANSDOWNE moved, that the Lord Bishop of St. Asaph be re-requested to preach before this House, in Westminster Abbey, on the day of the general fast—the 24th of March.

House adjourned.

HOUSE OF COMMONS,

Thursday, March 18, 1847.

MINUTES.] PUBLIC BILLS. — 1° Drainage of Lands; Towns Improvement Clauses; Naval Service of Boys; Indemnity; Naval Prisons; Poor and Highway Rates Exemption

PETITIONS PRESENTED. By Mr. H. Berkeley, from Bristol, for Alteration of the Law of Marriage.—From the Parish of Ayot St. Lawrence (Hertford), against the Roman Catholic Relief Bill.—By Mr. D'Eyncourt, from Lambeth, Sir W. Molesworth, from Southwark, and Mr. Mostyn, from Ruthvin (Denbigh), for Inquiry respecting the Rajah of Sattara.—By Mr. Brotherton, from Temperance Society of Chorlton-upon-Medlock, against the Use of Grain in Breweries and Distilleries.—From several places, respecting Remuneration to Tax Assessors and Collectors. —By Mr. Villiers, from Wolverhampton, against the Government Scheme of Education.—By Dr. Bowring, from Belfast Society, for the Prevention of Cruelty to Animals, for Abolition of Queen's Plates at Horse Races.—By Sir W. Molesworth, from Lewis Mariotti, respecting the Migration into this country of Italian Vagrants.—By Mr. G. Hamilton, from Diocese of Leighlin, and Mr. M. J. O'Connell, from Kenmare, for Alteration of Poor Law (Ireland).—By Mr. S. Crawford, from Guardians of Carrickmacross Union, in Favour of the Poor Rates (Ireland) Bill.—From several places, against the Poor Relief (Ireland) Bill.—By Mr. Maunsell, from Northampton, for Repeal or Alteration of the Poor Removal Act.—By Sir C. Lemon, from Boscastle, in favour of the Ports, Harbours, &c. Bill (1846).—By Mr. Busfeild, from Wesleyan Society at Highgate Chapel, Bradford, for the Suppression of Promiscuous Intercourse.—By Mr. G. Craig, from Parish Schoolmasters and Session Clerks resident within the Presbytery of Edinburgh, for Compensation, in relation to the Registering of Births and Marriages (Scotland) Bill.—By Mr. Dugdale, from Guardians of the Atherstone Union, for Alteration of the Law of Settlement.— By Mr. Pattison, from Salesmen of Smithfield Market, Against, and by Mr. Christopher, from several places, in Favour of the Removal of the same.—By Mr. J. O'Connell, from Malachy Duggan, Parish Priest of Kilballyone and Moyarta, for Inquiry into certain Charges respecting Captain Wynne.

QUARANTINE LAWS.

DR. BOWRING rose to move for the production of correspondence with respect to the quarantine laws. He said, that although the topic was an uninviting one, yet the discussions which had taken place upon it had already led to very important changes in public opinion—had removed many of the prejudices which existed on the subject of the plague—had enabled this and other Governments to modify the legislation which was founded on superstition and ignorance. The delays, the vexations, the expenses of the quarantine system, had been considerably diminished. Travellers were subjected to fewer annoyances; vessels were detained for a shorter period; merchandise was allowed to be transported with less of interference; and nobody was found to contend for a moment that these relaxations had been accompanied by a shadow of danger. He was sure, also, that every additional discussion would tend towards the same end; and it was with that view that he felt it his duty to move for the continuation of the correspondence which had taken place since the subject was last under the attention of the House. He was persuaded that the existing system was founded on the most erroneous notions as to the best means of preserving the public health; that, far from diminishing disease, the plan of confining patients to lazzarets was most calculated to increase its intensity and augment its contagious power. He was not without hope that the time was not far distant when quarantine laws would be removed altogether. The history of the plague was like that of many other diseases. Local circumstances influenced its introduction and its propagation; and in the very proportion to the circumstances which favoured its development would its ravages be. It was one of the endemics to whose spontaneous birth the climate, soil, and social habits of Egypt and other parts of the Levant, were peculiarly favourable, and thus it grew and spread in proportion to the existence and the extent of these elements which assisted its propagation. To particular climates particular diseases belonged: as the yellow fever rages on the western coast of Africa —as fever and dysenteries dwell among the marshy lands of tropical regions—as typhus reigns in the crowded courts and filthy ill-ventilated lanes of our great towns—as the ague rules in the fens of Lincolnshire—so is the plague indigenous in many parts of the East—communicable only when it meets with the conditions to which it owes its birth. Plague, he repeated, like all other diseases, was materially increased when circumstances were favourable to promote its propagation, and the places where it had most raged were remarkable for their bad ventilation and gross impurities. Nothing could be more fatal to the public health than the confining and crowding people together. Such crowding and confinement would soon give a pestilential character even to a pure atmosphere. He need not refer to many instances in order to illustrate the truth of this proposition. That celebrated case in the black hole of Calcutta, where, out of 140 individuals, more than 100 perished in a single night, was a melancholy proof of it. That fact was notorious to every reader of history, and demonstrated the pernicious effects of unventilated and confined places. In the last Session attention had been called to the great mortality on board the *Eclair;* and that mortality was to be attributed to the same cause, and bore evidence to the truth of the theory to which he had called the attention of the House. He had moved for the report of Dr. M'William, who had been sent to Boa Vista to report on the character of the fever which had existed on board the *Eclair*, and which had been communicated to that island. He had reason to know, from personal interview with Dr. M'William, that there was nothing in that report to warrant the continuation of the existing quarantine system —that Dr. M'William attributed the infectious or contagious character of the disease solely to the circumstance of the patients being huddled together in a miasmatic and impure atmosphere—made more and more impure by the augmented number of the sick; that the causes and the intensity of the disease were greatly increased by the non-removal of the patients to a purer region—that to spread the patients about in an uncontaminated atmosphere would not tend to spread the disease, but to modify its character. He believed that if the sufferers on board the *Eclair* had been instantly removed from that vessel, on its arrival on our shores, many valuable lives would have been saved, which had been sacrificed to the ignorant inhumanity of our quarantine system. He knew that the long and valuable experience of his hon. Friend near him, the Member for Berwick, who had been and was so largely engaged in the African trade, confirmed the opinion, that it was to the close, confined, and ill-ventilated atmosphere too frequently found on board our steamers and ships on the African coast, that the Bulam fever of the *Eclair* owed its destructive character. To this was to be attributed the mortality on board slave-trading vessels— the ravages of gaol fevers — the mortal character of typhus, and other similar diseases. He begged to refer the House to a very valuable pamphlet of Dr. Milroy on quarantine and the plague, which he should frequently quote as giving a valuable *résumé* of the facts and the arguments of the case. In a despatch which had been sent by Lord Palmerston to Lord Ponsonby in 1839, and which had been presented to the Turkish Divan, these truths had been recognised. The passage was as follows:—

> "With reference to the proposed regulations, I have to instruct your Excellency to endeavour strongly to impress upon the Turkish Government that they would more effectually prevent the breaking out and spreading of the plague, by introducing cleanliness and ventilation in the city and suburbs of Constantinople, than by any such violent interference as is proposed with the domestic arrangements of families.
>
> "It is quite certain that the plague is much aggravated, if it is not actually generated by the want of cleanliness in streets, by the want of sufficient ventilation in houses, and by the want of proper drainage in places contiguous to habitations; and, if the Turkish Government would, in the first instance, apply vigorous measures to correct those evils, they would strike at once at the causes of the disease; whereas the measures which they have now in contemplation, will only be productive of inconvenience and suffering to numerous individuals."

He considered that by the progress of sanatory improvements in large cities, and not by the observance of quarantine laws, the elements of disease would be gradually removed. An amelioration in this respect was no doubt going on in Egypt, in Turkey, and in various other parts of the world; and he believed that a greater knowledge of the cases and character of the plague would tend to remove many of those apprehensions and groundless alarms which had been excited in the minds of the timid. In the time of Herodotus, Egypt was considered to be a very healthy country; but the utter neglect of cleanliness among the people—the disorders and anarchies which had existed for centuries—the accumulations of filth—the disregard of the police—the swampy character of the soil, in many parts—had tended to make that country one of the most unhealthy in the world, and consequently had peculiarly fitted it for the spontaneous birth and wide development of the plague. But the prevalence of that disease in that country could be accounted for upon other grounds than the supposition that it was contagious. In Egypt itself the mortality would be found dependent on the cleanliness, civilisation, and physical comfort of the various races. Dr. Aubert stated—

> "The relative mortality in the different races, during the great plague at Alexandria in 1835, is thus exhibited:—Negroes and Nubians lost 1,528 out of 1,800, or 84 per cent; Fellahs lost 367 out of 600, or 61 per cent; Arabs, not soldiers, lost 10,936 out of 20,000, or 55 per cent.
>
> "The Negroes, Nubians, and Arabs were all living in nearly the same hygienic conditions, and were all in free pratique. With respect to the other residents in Alexandria, he estimates that the Greeks lost 257 in 1,800, or 14 per cent; Jews, Armenians, and Copts lost 482 in 4,000, or 12 per cent; Turks lost 678 in 6,000, or 11 per cent; Italians and others from the South of Europe lost 118 in 1,600, or 7 per cent; French, English, Russians, and Germans lost 52 in 1,000, or 5 per cent;—

showing how completely the amount of mortality was regulated by the social condition of the different communities. An instructive illustration is afforded by Dr. Aubert:—

> "On the banks of the canal which leads from Alexandria to the Nile, lies a property belonging to the Greek consul, M. Tossizza, who received it as a present from the Viceroy. The fellahs who work upon this property, being better treated and better fed than the fellahs of the surrounding villages, only lost, during the epidemic of 1835, 12 out of 400; while their neighbours, placed in the same conditions with respect to atmospheric influences and free communications, lost one half of their number."

And the French Academy of Medicine came to exactly the same conclusion:—

> "If it has been proved that the existence of a pestilential constitution in a country, into which the plague is imported, is necessary for the transmission and propagation of the disease, it seems nevertheless certain that imported plague will not exercise any great ravages, if it does not meet with, in the character of the climate, atmosphere, and population of the place, the conditions that are favourable for its development."

It was a well-known fact that plague had never entered into any of the colder latitudes; and it was equally ascertained that it did not penetrate the tropics. It had never been found at a very high or a very low temperature. It had not visited Nubia to the south-west, nor Arabia to the south-east of Egypt. But in diseases of an undoubtedly infectious character, such as small-pox, measles, or hooping-cough, no varieties of temperature checked their progress. They were found in all latitudes. The voyage was now made from Egypt to India in a very few days, and yet the quarantine laws were not in force in the British possessions in India. On the other side of the Atlantic, where great attention was paid to the health of the inhabitants, in the United States, there were also no national quarantine laws; and vessels crossed the Atlantic in a much shorter time than they did heretofore; in ten or eleven days Europe now communicated with America. The precautions taken by the different States of America were of a local character, and had mainly reference to the yellow fever; and they seemed wholly regardless of the plague of the old world. As the quarantine laws were founded in ignorance, so in ignorance they had their support, and attachment to them was found strongest in those countries where the knowledge of medicine least prevailed. In those parts of Italy, where the science of medicine was most backward, such as Naples, they were most strict in the preservation and observation of quarantine. But with the progress of inquiry, and attention to the subject, the alarm would gradually be dissipated, and the previous accounts of the contagious character of the disease would be discovered to be without foundation. The end of all this had been, that great changes were extorted from Government by the might and irresistible influence of public opinion. The quarantine laws, however, were connected with the pecuniary interests of large and influential bodies of men. By a Parliamentary return it appeared that upwards of 15,000*l.* a-year was spent by the Government in this country alone to salaried officers for the support of this system. More than ninety functionaries were employed upon it in Liverpool, seventy in Rochester, and in all the quarantine ports there was a numerous troop of officers. From these priests of Ephesus no doubt the cry would come, "Great is Diana of the Ephesians;" and, in the same manner, every obsolete system would find its supporters amongst those whom it employed and paid. In other countries matters were far worse, the quarantine functionaries were bound and banded together—they exercised irresponsible power—they committed the most despotic acts—

they violated correspondence—they arrested travellers—they taxed ships and merchandise; and all for the support of a delusion. But, to benefit a few interested individuals, would the Government continue a system which was most inconvenient to commerce and most unprofitable to the country? In the last ten years immense progress had been made. The great plagues of 1834 and 1835 had opened the eyes of medical men; and to the honour of that profession, which had been among the first to encourage prejudices and to justify quarantines, it now was furnishing irrefragable evidence of the mistakes under which their predecessors laboured. Let it not be forgotten that it was from plague countries—from physicians having the most accurate and the most extensive knowledge of the disease—that the ancient theories of contagion had received their death-blow. To such men as Clot Bey, Drs. Laidlaw, Abbott, Aubert, Rigaud, and others, a vast debt of gratitude was due. In 1838, our Commissioner at Malta, Mr. Lewis, reported that—

> "It is notorious that the mode or modes in which plague is communicated are very imperfectly known, and that some of the maxims on which most important quarantine regulations rest, are little better than gratuitous hypotheses."

In 1841, Dr. Robertson, deputy-inspector of hospitals, and serving with the British troops in Syria, thus expresses himself in his official report to Government on the plague:—

> "In reference to the contagious or non-contagious nature of this, at times, frightful disease, I beg to state that the result of all my experience leads me to believe that the disease originates in local causes, and that it is endemic in Syria and Egypt; that it is not of a highly contagious nature; and that, if ever so at all, some other concurrent circumstances are necessary to render it so. Extreme and exclusive opinions on the doctrine of contagion are hardly warranted by the present state of our knowledge. My own firm conviction is, that the plague cannot be communicated from one person to another in a pure atmosphere, even by contact; but I am not prepared to assert that, if plague-patients are crowded together in confined and ill-ventilated apartments, infection will not be produced, just as happens in typhus fever."

Mr. Brant, our consul at Erzeroum, writing about the same period respecting the then recent severe outbreak of the plague there, says—

> "As far as my own experience goes, I have been led to doubt the contagious nature of the disease, as it showed itself here last summer; or, if it were contagious, it must have been in a very slight degree. I have had, within the sphere of my observation, many cases of the most complete and extensive contact, without the disease being communicated."

Mr. Sandison also, our consul at Brussa, informs us that—

> "The cases are numerous in which persons escape the disease after contact with persons seized with it, even in its most malignant stage. There are frequent instances also of individuals being attacked by the plague, without being at all able to trace communication with any infected person or substance."

But by far the most important result was reached when, in 1844, the great Commission of the Royal Academy of Medicine in France, consisting of men of the highest character for medical science, had been appointed to inquire into the subject of the plague and quarantine. During two years they had been occupied with the thorough investigation of the matter; and, if he had no other evidence to offer, their report would alone be sufficient to show that the time had come for an alteration of the quarantine laws. The conclusions to which they had come were—firstly, that the plague was spontaneous in its origin; secondly, that—

> "In all countries where the spontaneous plague has been observed, its development may be reasonably attributed to certain determinate conditions acting upon a large portion of the inhabitants. The principal of these conditions are, residence upon marshy alluvial soils near the Mediterranean or near certain rivers, as the Nile, Euphrates, and Danube; the dwellings being low, crowded, and badly ventilated; a warm moist atmosphere; the action of putrescent animal and vegetable matters, unwholesome and insufficient food; and great physical and moral wretchedness."

Thirdly, that in Egypt it was usually—for it visited Egypt every year—endemic, but that about every tenth year it became epidemic; and, fourthly, that there was no single fact to prove the transmissibility of the plague by contact—contact of person. In the words of the report—

> "On the one hand, immediate contact with thousands of plague-patients has not been followed by any dangerous consequences to those who have been exposed to it in the open air or in well-ventilated chambers; and on the other, that there is not a single fact which indisputably proves the transmissibility of the plague by mere contact with the sick."

And with respect to communication by garments the Commission says—

> "Very numerous facts prove that the clothes and effects belonging to plague-patients, have not communicated the disease to persons who have used them, even without any previous purification. The facts, which seem to indicate an opposite result, can only be considered valuable, if they are confirmed by fresh observations made beyond

> epidemic *foci*, at a distance alike from *foci* of miasmatic infection and from countries where the plague is endemic."

In the bazaars of Turkey, plague-spotted garments produced as good a price as those which were free from the disease. In the foul wards of the lazzaret there was no record of a single death having occurred from contact with a diseased person, or from infected clothes. As regarded merchandise, equally satisfactory was the evidence. In 1835, the epidemic plague raged at Alexandria among all the servants and *employés* living in the magazines of the Egyptian Government. Notwithstanding this, a vast number of bales of cotton, daily handled by the plague-infected, were exported from January to June—that is to say, during the whole continuance of the epidemic—to all the great ports of Europe. There were exported this year, to England, 31,709 bales; to Marseilles, 33,812 bales; to Leghorn, 424 bales; to Holland, 150 bales; to Trieste, 32,263 bales; and to other ports, 32 bales. Now, although no precautionary means were taken in the way of disinfecting this immense quantity of an article that had always been deemed highly susceptible of retaining the infectious effluvia, not one person seemed to have been infected in consequence. Of sixteen English vessels laden with cotton, which sailed from Alexandria from the beginning of January to the end of June, eight had the plague on board; and yet their cargoes did not prove more dangerous than those of the non-infected vessels. Besides this very conclusive evidence, the Commissioners mention upon official authority that, since the year 1720, not one of the porters employed at the lazzaretto of Marseilles, in discharging and landing the cargoes of suspected ships, had ever caught the plague. The conclusion was, therefore, fairly forced upon them that—

> "There is nothing to prove that articles of merchandise can transport the disease beyond epidemic *foci*."

He (Dr. Bowring) moved for a return of the persons engaged in the foul departments of our lazzarets in the manipulation of infected or susceptible articles, and who had died of or been attacked by plague—that return was *nil*. But one of the great antagonist authorities, Sir W. Pym, himself honestly confesses that he could not ascertain that any one case of plague had been produced in consequence of the manipulation of merchandise in any one of the various lazzarets that he visited. Another most important conclusion had been come to by the Commission, and one that should at once induce the Government to admit to pratique every vessel from the Levant which arrived without disease on board, viz. that—

> "If it be true that a fixed and absolute term cannot be assigned to the incubation of the plague, it seems, nevertheless, to be clearly proved by well-established facts, that, at a distance from countries where it is endemic and beyond or away from epidemic *foci*, the disease has never broken out in persons who have been exposed to its influence after an isolation of eight days. The few facts which might be regarded as exceptional to this rule, are all susceptible of another interpretation."

This is a practical result, deserving the most serious consideration. The latent seeds of the plague have been by some faciful writers supposed to be undeveloped for centuries. Nay, one author traces them to the mummies of Thebes and Memphis; another avers that they are retained in garments for thirty years; a third avows that for two years they had been concealed in the clothes of a plague-patient who died in Syria; and at Genoa, at the late congress, physicians insisted that the plague might exist undeveloped for a month. But the authorities of the European Egyptian physican generally recognise seven days as the period of incubation. One limits it to two or three days. Clot Bey gives two or three days as the average; eight days as the maximum. On this subject Dr. Aubert states, that in a period of 125 years only sixty-four vessels crossing to Europe from the Levant have had the plague on board; that the cases of attack have been during the voyage, or after arrival; that no case has occurred of attack in a European port, unless there had been cases during the voyage; and that only twenty-six vessels had brought the plague with them to European lazzarets. In France, public opinion had already relieved Algiers from the oppression of the Levant quarantine laws. Greece had also been emancipated. Marseilles, the very seat of sinister interests and foolish prejudices—still under the impressions and recollections of the plague of 1720—had, in a congress comprised of contagionists, declared, "that the existing system requires modifications." At Genoa, last year, the scientific congress allowed the doctrines of contagion to be attacked and denounced; and concluded, that it might happen, a more thorough investigation and new discoveries of medical science might add to a future modification of opinion; and they resolved to re-open the subject at Venice in the next congress. Austria was giving way, and Russia was inquiring. The hon. Gentleman concluded by moving—

> "For an Address of the Copies of such correspondence, or extracts of correspondence, as may have taken place since the last Parliamentary Returns, on the subject of the Quarantine Laws."

MR. HUME, in seconding the Motion, stated that, although the charge for the maintenance of the quarantine establishments was apparently only 190,000*l.* a year, yet that this was not one-tenth part of the expense to which the country was exposed by them, in consequence of the injury they did to the commerce of the country.

MR. MILNER GIBSON felt that he need not go into the question, as there was no objection to the production of the correspondence. There was no doubt but that the quarantine regulations of different countries had been injurious to commerce, and had been matter of just complaint. As far as England was concerned, the quarantine regulations had been so reduced as in many cases to make them almost nominal. The ships of the world were admitted in free pratique into the ports of the United Kingdom, if they were not loaded with susceptible articles. He would not express any further opinion on the subject beyond observing, that those who had charge of the quarantine regulations of this country were anxious to reduce them to the lowest point, so as to make them as little injurious as possible to the commerce of the country.

MR. THORNELY pressed on the Government the necessity of making further inquiries into the operation of these laws, with a view to their ultimate abolition.

Motion agreed to.

ABSENTEE PROPRIETORS (IRELAND).

MR. W. SMITH O'BRIEN said, that as long as there was such a large remittance of the rents of absentees to England, the evils attending the circumstance to the country whence they came, would not make much impression here, as this country derived all the benefit attending the expenditure of so much wealth. He had observed repeatedly the emaciation of his own country from the constant withdrawal of wealth from it, by the payment of the rents to the absentees; he therefore had felt it to be an imperative duty on him to bring the subject under the consideration of the House at this period, when they were so much called upon to adopt means of meeting the calamity which so severely afflicted Ireland. He had the more readily brought it forward, as it was not likely that the question would be taken up by the Government in the first instance; and if he should not be able to induce the House to adopt his resolution, he trusted that the impression which would be produced would still have a beneficial effect. All experience as well as authority coincided as to the evils of absenteeism. He was aware of the opinion formerly expressed by Mr. M'Culloch on the subject; but that gentleman had greatly modified his opinion as to the results of absenteeism, and no longer held the opinion that the country did not suffer from its produce being expended out of it. It was almost unnecessary for him to allude to the importance of having a large body of resident proprietors, who by their assistance, advice, and example, could afford most important aid to the country. He would show the difference that there was between a resident and non-resident proprietor, by referring to individual cases; and in doing this, he should endeavour to avoid, as far as possible, giving any offence. He would refer, in the first instance, to a case which existed in the two counties with which he was more immediately connected—he meant Clare and Limerick. The rental of the estates of the late Lord Egremont in these counties amounted to 25,000*l.* a year. He believed that the late Lord Egremont never saw those estates; and he (Mr. S. O'Brien) had reason to believe that the expenditure on those estates by the landlord, beyond the expense of collecting the rents, did not exceed 500*l.* a year. The late Lord Egremont was admitted by every man to have been one of the very best landlords in England; and if he had resided in Ireland, it is probable that he would there have fulfilled the same duty in the same way. Let them compare the conduct of the landlord of such an estate with that of Sir Robert Gore Booth, whose exemplary treatment of the people on his estate had been so properly alluded to the other night by the right hon. Secretary for Ireland. If Sir Robert Booth had been an absentee landlord, and drew his rental from his Sligo property and expended it in England, what would have been the situation of the people on his property? He could not discharge by deputy those duties which he now so admirably performed in person. According to the most accurate calculations which had been made as to the amount of the absentee rent drawn from Ireland, it could not be less than 4,000,000*l.*, which was nearly one-third of the whole rental of the country, and this was quite independent of other remittances. He had gone through the Peerage to make out a list of those who were absentee proprietors of estates in Ireland; but he found that he could not make out the list of individual proprietors who were not titled. The list which he had was very imperfect; but still, it would furnish an indication of what he meant. In the first place, however, he would mention the London Companies, and the Irish Society, which drew very large revenues from Ireland. He had heard a statement with regard to those London Companies, which the hon. Member for Southwark could probably give some explanation of, and he therefore should not then enter into it. He should merely observe, that under the present circumstances of the country, it would become them to make greater exertions for the amelioration of its condition. But to proceed with the list of large absentee proprietors. There were the London Companies, Irish Society, Duke of Devonshire, Duke of Buckingham, Duke of Bedford; Marquesses of Hertford, Conyngham, Thomond, Lansdowne, Anglesea, Clanricarde, Donegal, Abercorn (occasionally visit), Bath, Ely; Lords Fitzwilliam, Cork, Palmerston, Essex, Clanwilliam, Orkney; Viscount Chabot; Lords Stradbroke, Limerick, Beresford, Audley, Dillon, Southwell, Maryborough, Middleton, Trimleston, Albemarle, Portarlington, Dungannon, Boyne, Darnley, Clifden (occasionally resident), Sandwich, Normanton, Vaux, Congleton, Ranfurley (occasionally resident), Lady Bray, Lords Galway, Ashbrooke, Stanley, Arden, Portsmouth, Lifford, Lisle, Stanhope, Strafford, Fortescue (occasional visitor), Hawarden, Templemore, Valentia, Templetown; Count de Salis, Colonel Wyndham, Mr. Sidney Herbert, Mr. Kelly (county Roscommon), Mr. Stafford O'Brien, Mr. Greville, Mr. Fox Lane, Mr. O. Gore. A great portion of these proprietors never visited their estates at all. Some were occasional visitors only, and a very few were occasional residents. He did not produce that list of names for the purpose of raising any invidious feelings against those noble Lords and hon. Gentlemen, who were probably all, and certainly very many of them, most amiable characters in every point of view. But he wanted them to join him in doing something for the benefit of the country. His object was to induce the House to impose such a tax as would leave only a choice to proprietors between residence upon their estates, or the sale of them to others who would reside upon them; or if it should fail to compel the adoption of either alternative, it would at least give to the country some sort of compensation for the loss sustained through an absent proprietary. There was nothing new in the proposition. It could not be said that there was any fear of setting a novel precedent by it. For a long series of years the course of legislation had been in favour of an absentee tax. In an able letter written by Mr. D'Alton, the following passages showed the early adoption of such a measure:—

> "'All writers,' says the accomplished Sir John Davis, Attorney General to Queen Elizabeth and James I., 'do impute the decay and loss of Leinster,' then the extent of the English pale, 'to the absence of those Lords who married the five daughters of William Marshal Earl of Pembroke, to whom that great seignory descended. These great Lords, having greater inheritances in their own right in England than they had in Ireland in right of their wives (and yet each of the co-partners had an entire county allotted for her proportion), could not be drawn to make their personal residence in this kingdom, but managed their estates here by their seneschals and servants. The grievance did not long elude the vigilance of the English Justinian; and accordingly, in a few years after the titles alluded to had vested, viz., about the year 1295, it appears from that venerable muniment of one of our metropolitan cathedrals, the *Liber Niger* of Christ Church, that at a general Parliament, or great council, then held in Ireland, it was enacted, *inter alia*, that absentee English Lords, who drew the profits of their Irish territory, without any return, should be compelled to contribute a portion for the safety of their estates and tenantry."

Again, Mr. D'Alton states that—

> "In 1310 an ordinance of a yet more cogent character was promulgated by the authority of the chief governor of Ireland, and the whole council. It directed an absolute estreat of the rents of all the lands of absentees, and that they should be deposited in the treasury, to be appropriated by the king for the conservation of the peace and defence of the land."

Again—

> "In the year 1331, when King Edward III. meditated coming over to Ireland, he recognised the policy of suppressing absenteeism as essential for the peace of that country."

In 1352, the ordinance of 1310 was again confirmed by Act of Parliament. In an ordinance of 1368, it was set forth—

> "So that by the default and negligence of those absentees, all the beforementioned evils have brought Ireland to destruction."

In the succeeding reign of Richard II. (in 1380), it was ordered by the King that all persons having estates, revenues, benefices, &c. should repair thither before St. John's Day of the next year, and there abide to defend and keep the peace of said lands, under pain of forfeiting two-thirds of the profits thereof. Henry IV., in the tenth year of his reign (1409), commanded the enforcement of the Statute of 1380; and "two years afterwards," according to Dr. Leland—

> "The Irish Parliament passed an Act of a preventive and certainly very arbitrary nature in reference to this offence, directing as it did that the person and goods of an Irishman attempting to transport himself from his country without leave under the great seal of Ireland, might be sued by any subject, who was to receive one moiety of the goods for such service, the other to be forfeited to the King."

And in 1431—

> "Immediately after the coronation of Henry VI., the provisions of those Acts were reiterated and enforced by two proclamations, and yet more, the records attest the frequent exaction of the fullest penalties. 'Amongst the rest,' says Davis, 'the Duke of Norfolk himself was not spared, but was impleaded upon the ordinance of King Richard fos two parts of his lands in the county of Wexford.'"

In the seventh year of the reign of Henry VIII. (A. D. 1516) an Act was passed whereby all grants of licenses of absence were absolutely repealed; and subsequently in the 28th Henry VIII., a Statute was passed whereby, after setting forth that

> —"it was notorious and manifest that Ireland had grown into ruin, desolation, rebellion, and decay, by reason of great proprietors of it residing in England, and not providing for the good order and surety of the same;"

it was enacted that

> —"the King, his heirs, &c., shall have and enjoy all houses, manors, lands, liberties, advowsons, &c., of certain nobles and great religious fraternities therein-named."

And Mr. D'Alton proceeded to state—

> "This legislative sanction was followed by a resumption of the immense estates of the Duke of Norfolk and Lord Berkeley, in the counties of Carlow and Waterford, those of the Earl of Shrewsbury in the latter county, with certain other most extensive districts."

In 1634 the same spirit of legislation was again asserted by the Act 10, Charles I., sess. 3, c. 21; and in 1715—

> "It was enacted in the Irish Parliament (2 Geo. I., c. 3, s. 51), to the effect that during the two ensuing years (it was subsequently continued) all persons having any office, salary, place or pension, on the establishment here, who shall live out of the kingdom for six months during one whole year, shall pay unto his Majesty, his heirs, &c., 20 per cent out of their salaries or profits, same to be deducted yearly by the paymaster, &c."—And "the total revenue from this section of absentees, during the two years to 1717, was certified to Parliament by the receiver-general, as 10,320*l.* 4*s.* 10*d.*"

He had heard amongst the objections to the proposal, that it violated the great principle of national and civil rights. But residence was one of the duties owing by those who claimed the privileges of those rights; and every well-minded and just man should admit it to be an incontestable position that some return should be made by the proprietor to the land from which he derived a large amount of his income. It was also urged against the principle of such a tax, that by its imposition voluntary exertions would be checked. But that was the old argument which had been advanced against the enactment of a poor law for Ireland. As to the difficulty of effecting the sale of estates, he should support the giving of every facility for their exchange. But it was urged that the great difficulty would be how to settle the question of residence. It was asked, why not tax a man, whose estates lay in Mayo, for residing in Cork? But the question had arisen, and had been solved before; for when a part of France belonged to the English Crown, and absenteeism prevailed, it was stopped by an ordinance of Edward III., which compelled all Englishmen, having estates both in France and England, to sell their French estates, notwithstanding an entailment, to a remainder man, and made it a case of forfeiture if the estates were not disposed of; and as to the explanation of what might be deemed residence, he would refer to the proviso in clause 90, 5 and 6 Vict., c. 35 (Income and Property Tax):—

> "Provided that no person (other than a Member of either House of Parliament, entitled to be exempted from the duties of assessed taxes, under the provisions in that behalf contained in the Acts relating to the said last mentioned duties) shall be deemed to be resident in Ireland, within the intent and meaning of this Act, who shall have been absent from Ireland at one or several times for a period equal in the whole to six months or more during the space of one year, immediately preceding the day on which such annuities, dividends, and shares, shall respectively have become payable."

A six months residence in the year might be therefore deemed sufficient; and as to the mode of collecting and employing the tax, the boards of guardians of the poor-law unions could easily ascertain what was the amount of property in the districts, and whether the proprietors were resident or otherwise. If any man should then be taxed improperly, it would be easy for him to come forward and show that he had been resident during the six months required by the Act of Parliament. He was not prepared to say that was the best possible mode of carrying out the principle of the Bill; but if that principle were affirmed, there would be no difficulty in deciding upon the best mode, though he was in favour of using the already existing machinery of the boards of guardians in imposing the tax. The next question was the amount of the tax. He should say the minimum ought to be 10 per cent. He knew some would say that was too moderate; but he would also take powers to increase that per centage, if it was found to be ineffective. With regard to the argument that the measure would have a tendency to lower the value of property in Ireland, he entirely dissented from it. Large masses of property might change hands; but he thought the amount greatly exaggerated; and he thought that those very changes, by removing incumbrances, would throw so much capital into the market, as would, in point of fact, create an increased number of bidders, and prevent depreciation. He expected to be met on that occasion by the exception so often used by the right hon. Member for Tamworth, that his proposition was only a resolution, and therefore of no practical good; but he would, with all respect for such high authority, contend that a resolution was the best of all methods in that preliminary stage to ascertain the opinion of the House as to the principle of the proposed measure. If the principle were ascertained, he would undertake, without delay, to submit a Bill. He had not, however, the remotest idea that it was possible to carry the Motion. He knew that the mere proposition of an income tax was enough to subject him to the ridicule of the House. He merely brought the measure forward, though fully convinced of its justice and the benefit it would be to Ireland, to show those who cried out for practical measures to prevent absenteeism, how small a minority of the House would support such a proposition. At all events he had done his duty to Ireland, and he appealed to the House to perform its duty also. The hon. Member concluded by moving—

> "That, inasmuch as the non-residence of landed proprietors in Ireland is one of the causes of social disorganisation of that kingdom, it is expedient to impose a charge by way of special assessment, in aid of local objects of an useful nature, upon the estates of absentee proprietors, with a view to make some compensation for the evils resulting from their non-residence."

MR. H. M. TUITE seconded the Motion. He had observed a strong spirit of hostility in the House to the Irish proprietors, and he admitted that some of them had not done their duty in the manner in which they ought to have done; but were there not also a great number of English proprietors who had also neglected that duty, and who possessed at the same time large properties, who had considerable influence in that country, and who derived large incomes from it? He would take a practical view of how the system of absenteeism acted on the country. Great injury had been caused under present circumstances by landlords being absent from their estates; and he attributed to their absence from their duty the failure of the Labour-rate Act. Had they been resident, an early application of reproductive labour, such as drainage and other improvements, would have commenced at the earliest approach of famine, and the results of that visitation would not have been nearly so fatal. In the county of Longford there were many resident landlords, and the people were employed in useful works. In one district Mr. Edgworth, Major Blackstock, Mr. Fox, and himself, had carried on such a system for a long time; but the want of assistance from the absentees rendered it a difficult task. In that same county of Longford there were a number of what were called "Cromwellian debentures," small properties given by Cromwell as rewards to his soldiery or political agents. The holders of these tenures had little or no connexion with the tenants except to screw the rent out of them. They did not attend to the social or charitable duties incumbent on landlords; and although the rents they received amounted altogether to 16,000*l.* a year, they only subscribed 410*l.* In the county which he represented (Westmeath), there was in one relief district 604*l.* subscribed by the resident proprietors. Ten farmers, who held from 60 to 300 acres of land each, gave 67*l.* 10*s.*; but what did the English proprietors in the same district do? Five of them never subscribed a farthing, but regularly as the 2nd of November or the 2nd of May came, they sent their agents down for the rents. The resident proprietors, besides subscribing, kept 240 labourers employed up to the time when the Labour-rate Act came into operation, at which time they were obliged to discontinue that employment, solely because the non-residents did not join in it. The non-residents did not employ a single labourer, or subscribe a single penny to the relief committee. One of these was a Scotch lady, whom they could never find, though she always contrived to get her rent. Another was an insurance company, which received 300*l.* a year, and did not subscribe one farthing. Of those who did give, one was a reverend doctor, in the receipt of 3,000*l.* a year out of the district, and he subscribed 18*l.* Without dwelling further on the injury the absence of landed proprietors did to the poor, he must also say it was an injustice to the landowners who were resident. The absentees escaped all county duties, at sessions or grand juries, and as magistrates. In Longford sometimes they were not able to make a grand jury, and they had been obliged to appoint a stipendiary magistrate, because those who should have done the duty were non-resident. He was bound to say, however, that there were some absentees who did their duty admirably, as far as regarded subscriptions and measures for alleviating distress. The Marquess of Lansdowne and the Duke of Devonshire set noble examples of munificence, which if followed more generally would have greatly aided the resident proprietors. He also mentioned, in high terms of commendation, the Marquess of Londonderry and Lord Devon, as samples of that class of land proprietors who gave some personal attention to the management of their estates. In the Queen's County the absentee rents amounted to 25,878*l.*, and their subscription to 208*l.*; the residents received 4,550*l.*, and subscribed 459*l.* Lord Stanhope had observed that proprietors who had no houses on their estates could not be expected to reside, and he had neither house nor inn on his estate at Ballykill; but he could assure the noble Lord that there was an excellent inn at Abbeyleix close by, where he could get a good well-aired bed, and even in these times a rasher of bacon. He, therefore, considered that it was no excuse for neglect of duty to say there was neither house nor inn. It had been said that no Government had a right to interfere with a man's residence; but he thought that if Government, on instituting an inquiry, found great evils and injuries inflicted on the country by absenteeism, they were bound to interfere. With regard to remarks often made respecting the outrages committed in Ireland, he did not agree in thinking that they could not be suppressed. On the contrary, he knew cases in which a change of agent often had the effect of quieting a large body of tenantry. Within his own knowledge some eight or nine years ago an agent of the Courtenay property, who appeared to have made himself extremely hostile to the people, had been changed by the present Earl of Devon when he came into possession of the property, and the consequence was that everything appeared new upon the estate, the people peaceable and industrious, and affairs went on in the most satisfactory manner. His own experience of Ireland had always shown him that when the law was administered in an equitable and fearless manner, that personal violence and intimidation disappeared. An hon. Baronet, in his own neighbourhood, who was a large landed proprietor, had ejected a number of people from their holdings on his estate, and he had excellent reasons for so doing, but he never had been visited with any agrarian outrage. He believed that nothing could be more beneficial to Ireland than the institution of a severe scrutiny into the whole question of absenteeism. The present drain of revenue extracted from the country now amounted to four millions per annum; and could it be supposed that any country could be happy or prosperous as long as the proprietors of the major part of the soil lived away from it, and expended their incomes wholly regardless of the duties which attached to the possession of property? The injury which resulted from not attending to small properties was a fruitful source of crime in Ireland, and occasioned a great amount of misery to the country at large. Believing that the imposition of an income tax would to some extent afford a remedy for these evils, he cordially seconded the Motion of the hon. Member for Limerick.

ALDERMAN HUMPHERY observed that if he had known the hon. Member for Limerick had intended to bring charges against the London Companies, for not properly discharging the duties they owed to their Irish properties, he would have come prepared with documents to show him the very fallacious nature of the foundation upon which he had made his charges. The London Companies possessed large properties in the north of Ireland, and some of them spent, not the tenth part, which the hon. Member for Limerick considered an equitable absentee tax, but four-fifths of the entire rentals, in improving their estates. The rental of the Irish Society, of which he had the honour to be president, amounted to 9,000*l.* or 10,000*l.* a year, and they expended annually in Londonderry 7,000*l.* of that money in promoting the cause of education and religious instruction. They never refused an application made by the clergy for assistance in improving their chapels and churches, neither did they ever refuse any money to be applied to purposes of education. He believed there were no less than sixty schools which received annually various sums of money from that society. As for the hon. Gentleman saying they did nothing with their money but expend it upon feeding Gentlemen of that House, he begged to say that the hon. Member never could have attended any of those "feeds," as he was pleased to term them, otherwise he would have heard statements of a different kind. The entire sum spent in feeding the Members of that House only amounted to 450*l.* a year out of the whole funds derivable from the estates. He was connected also with a company who possessed a large property in the neighbourhood of Coleraine, the rental of which was 7,000*l.* a year, and yet they had only expended, during the course of ten years, 3,000*l.* in London; the whole of the remaining portion was devoted to the improvement of the property. The Mercers' Company had also large estates in Ireland, and he believed they expended their funds pretty much in a similar manner. The hon. Member for Limerick had no doubt travelled through the north of Ireland, and thus must have observed the improvements which had been effected on the estates of the London Companies. The result of imposing an absentee tax upon those companies would inevitably be that they would pay the minimum 10 per cent or the maximum 20 per cent upon their rentals, but no more. They would not, in such case, expend the great proportion of their incomes, as they did now, among the people around their estates. The hon. Gentleman had also alluded to the Globe Insurance Office, and remarked that that corporation derived 300*l.* a year from Ireland, and had contributed nothing towards alleviating the condition of the people in the neighbourhood of their property. Now, it was most natural to suppose that the Globe Insurance Company had lent their money on mortgage on some Irish estate, and it was not to be expected that they would subscribe out of the 300*l.* a year which they received from that property towards the mitigation of the distress which might exist in its vicinity. It was unusual to expect a contribution from them under such circumstances; but he was sure if the Globe Insurance Company possessed estates in Ireland, they would cheerfully discharge those duties which would devolve upon them by such possession. He would be glad to know the amount of property which Noblemen and Gentlemen in that House possessed in Ireland, and what proportion of their annual rentals they expended in improvements. He thought they would find the absentee landlords who represented 4,000,000*l.* per annum of Irish property, returned 2,000,000*l.* in the improvement of the estates. ["No, no!"] Hon. Gentlemen cried "No, no;" but if such were not the case, the hon. Member for Westmeath, who seconded the Motion, had thrown overboard the argument of the Proposer, because he mentioned gentlemen who spent the whole of their incomes in the improvement of their estates. [MR. TUITE: Only one.] More than one. There was the Courtenay estate; the estate of the noble Lord the Member for Tiverton, and the estate of the Marquess of Lansdowne. He should like very much to have a return showing the property of Irish absentees, and the amount of money they laid out upon such property; and he thought it would be found that there was more money beneficially expended by the absentee proprietors, whose names had been mentioned in the House that night, than by a great proportion of the resident gentry of that country. It should be remembered that not one of the London Companies had mortgaged their estates; and, such being the case, it would be unfair to put gentlemen with deeply mortgaged estates on terms of parity with those companies, whose estates were wholly unencumbered. He should not have deemed it necessary to rise, had not a most unfounded charge been made against the London Companies and the Irish Society, that they had not spent their funds in improving their Irish estates. He denied that they squandered their resources in giving dinners to the Members of that House; and he could only say, if the hon. Member for Limerick expended the same proportion of his income that they did in educating the poor, in giving religious instruction, in building and supporting religious houses and schools in the neighbourhood of his property, as they did in the vicinity of theirs, he would speedily find Ireland in a changed position—he would find her with greater inducements to residence—he would find her condition prosperous, and he would find her people contented.

Mr. LABOUCHERE was ready to pay his tribute of admiration to the temperate and argumentative speech of the hon. Member for Limerick. The hon. Gentleman commenced by stating that he could not expect the proposal he was about to make to the House would receive the sanction of the English Members, for although the present state of absentee property in Ireland was a drain and an evil to that country, that inasmuch as the money lost in Ireland was gained to England, he could not expect the English Members would sanction a measure the object of which was to tax themselves in consideration of that gain. He assured the hon. Member that if he resisted the Motion he would not do so on any such grounds, for no man could be more convinced than he was that whatever tended to the impoverishment and distress of Ireland, was inconsistent with the prosperity and security of the United Kingdom. And if he could believe that by acceding to the hon. Member's proposal he would be really consulting the best interests of Ireland, he should say it became the Imperial Parliament, not only on account of what was due to the interests of Ireland, but on account of what was due to the interests of the empire, to accede unhesitatingly to his proposal. The hon. Gentleman had referred to the objections which were sometimes made to propositions not being brought forward as specific measures, but embodied in the form of a resolution. He shared in that dislike; and he agreed with the right hon. Baronet the Member for Tamworth in thinking that questions of this kind ought not to be dealt with by resolutions in preference to Bills. The hon. Gentleman the Member for Limerick had brought the question forward so fairly, and had been so clear in the statement of his views, that he had supplied whatever there was of ambiguity in the resolutions, and had distinctly informed them of what he wished them to affirm. The hon. Member told them that he wished the House to sanction a proposal that it should not be possible for any one to hold property at the same time in England and in Ireland; and even went the length of saying, that persons ought not to be permitted to hold landed property in different parts of Ireland. He had no hesitation in saying, that neither the Parliament of England, nor the Government of any other country in the world advanced in civilization, ought to adopt such a principle, which, in his opinion, would be absolutely destructive to the first principle of property. With regard to absenteeism in Ireland, he did not deny that it was a grievous misfortune that a large proportion of the property in that country was held by persons who did not reside in it. This was a great evil, which he trusted would be amended; and he thought they ought to counteract it as much as possible, by fair and legitimate means. In order to effect that desirable object, there were two measures in contemplation; one had been proposed to the House, and the other had been announced by the Government, for the consideration of the Legislature. These measures would, he hoped, counteract the evils which Ireland had so long laboured under from an absentee proprietary. The first of these measures was the poor law lately discussed in that House, the strongest recommendation of which, in his mind, was, that it would oblige proprietors, whether absentee or resident, to contribute a fair share towards the maintenance of the poor. For he was willing to acknowledge to the hon. Member for Westmeath (Mr. Tuite), that in the course of his official experience in Ireland he had been much struck with many cases in which the honourable exertions of resident proprietors to meet and avert the distress which existed around them, had been thwarted and checked by the refusal of those not resident to co-operate with them. Upon this account he rejoiced to think it would be no longer possible for them to avoid contributing by purse, if not by personal exertion, towards the mitigation of the distress which prevailed in the neighbourhood of their properties. Such was one of the measures to which he had referred in order as likely to attain the object sought by the resolution of the hon. Member for Limerick; but the other was of equal importance. He believed the great evil of Ireland was not so much that the property was in the hands of absentees, as that it was in the hands of persons so incumbered with debt, that, whether resident or absentee, they were unable to perform the duties which attached to property, or to the nominal possession of it. He did trust the facilities that would be given by the Bill to render more easy the sale and transfer of estates, would have a beneficial effect in placing property in the hands of persons with means and disposition to improve that property, and to perform all the duties of landed proprietors towards their poorer neighbours. He believed, also, it would naturally have the effect of throwing the property of Ireland much more into the hands of resident proprietors. He knew that many absentee proprietors did their duty; but he was not prepared to say, that there were many others who did not. But where hon. Gentlemen talked of absentee landlords, he could not include in the list those who passed a portion of the year in Ireland, and the other portion on their estates in England. There were many such proprietors; and among them he could mention the names of the Marquess of Londonderry, the Marquess of Abercorn, and the Earl of Devon, all of whom passed a portion of the year on their Irish estates, and were among the best landlords in Ireland. So far from deprecating the partial residence, he approved of it; for he considered the mutual intercourse between the gentry of the two countries could not but prove beneficial to the interests of both. He had only to look across the House to find instances in corroboration of what he stated. There was, for instance, the hon. Member for Northamptonshire (Mr. S. O'Brien), the representative of an English county, but who owned estates in Ireland; and, usefully to that country and honourably to himself, he resided a portion of his time upon them, and by his excellent example stimulated and encouraged his neighbours to perform those duties which attached to the possession of property. He was quite willing to agree with those who censured that class of proprietors who were really absentees, and who never went near the country; but even admitting they were persons of less humanity and less benevolence, it was but natural they should not so readily relieve the distress they did not see, nor discharge so efficiently the duties of property which they had never visited. He had lately been looking into a pamphlet, written a hundred years ago, by Mr. Thomas Prior, who founded the Dublin Society. It was on absenteeism, and had made considerable noise at the time. The writer said—

> "We must own that there are many of our gentlemen abroad who wish well to our country, and would abhor having a hand in the ruin of it, and who, when they come to consider the difficulties of poverty and misery under which we labour, will act as becomes them—will see that they must share in it, and that it is their duty to endeavour to prevent it."

He went on, however, to inveigh against others, of whom he said—

> "Some of those have drained from 100,000*l.* to 300,000*l.* within the last twenty years, yet have not contributed so much as the meanest person who pays the least part of the taxes. We cannot suppose that such rich landlords will relieve any poor whose miseries they never see, or that they will ever make the necessary improvements on their estates. But I hope the Legislature will take care that those who thus spend their fortunes abroad shall not be the only persons exempted from taxation."

The writer then went on to state what he thought ought to be the remedies; and, although favourable to an absentee tax, yet he laid much greater stress on other remedies of a more definite nature. For instance, he advocated "a change of the laws with respect to land, so as to secure a better distribution of property, that property might be more equally divided; his reason being, that "overgrown estates were generally consumed abroad, while small fortunes were spent at home." He fully agreed in this remark; and he trusted that the measure announced by the Government for facilitating the division of estates would produce a good effect, and that the lands which might be parted with would be placed in the hands of persons able to discharge their duties as landlords. The hon. Gentleman the Member for Limerick, however, proposed that a tax should be imposed upon the estates of absentee proprietors. He (Mr. Labouchere) did not think the word "tax" was the proper word to apply to this imposition with the object and intention which the hon. Gentleman would impose. If an imposition of this sort were merely made with a view to raise the revenue, it ought to be laid on all property alike. He thought the object of the resolution was to frame a principle that the imposition should be more as a penalty, by a tax to compel the sale of estates. This sounded to his ear very like confiscation. He thought it would be unjust to affirm a principle that no person who owned English estates should have Irish estates also, or that no owner of an Irish estate should possess an English one; for the principle, if applied at all, ought to apply to both. Such a principle would be inconsistent with the political and social union of the two countries. No State in the world, either free or despotic, ever laid down the principle that its subjects should not possess property in different parts of the empire. He agreed with the hon. Member for Limerick that it was highly desirable that at this moment, and in the present distressed condition of Ireland, that Irish proprietors should be found discharging the duties which now so urgently were required of them to perform. He also agreed that it was desirable they should take care in their legislation, by all fair and legitimate means, to facilitate the division of large properties in such a manner as to favour the growth and development of that which he conceived to be a great and essential benefit to any country—a landed gentry. All these were legitimate—all were questions which he trusted would not be lost sight of by Her Majesty's Government in the new poor law, and in the Bill for facilitating the sale and transfer of landed property; but with regard to the proposal of the hon. Member for Limerick, that they should assert the principle that British subjects should not hold estates in both countries, he entirely dissented. He was opposed to the principle, because it was inconsistent with the union or amalgamation between the two countries, which he wished to see preserved in all its integrity, and consequently he should feel it his duty, if the hon. and learned Member pressed for a division, to record his vote against his resolution.

Sir A. BROOKE agreed with the hon. Member for Westmeath, that many of the evils of Ireland resulted from absenteeism. Two years ago, when a similar question was before the House, he had taken the liberty of suggesting a measure with that view, the purport of which was, that a tax limited to 15 or 20 per cent should be levied on all absentee property, the amount so levied to be expended upon the property in draining, sub-soiling, fencing, building farm-houses and labourers' cottages, and so forth, the works to be under the superintendence of an officer to be appointed by the Government. If the Government, instead of the out-door relief measure, had brought forward a measure for the improvement of property generally in Ireland, he would have gone any length to support such a tax. He could not approve of the proposition of the hon. Member for Limerick, that a man should be obliged to give up his property in Ireland because he happened to hold property in England. That would be practically carrying out a repeal of the Union. Besides it was perfectly possible for a man holding property in both countries to discharge the duties devolving on him as a landlord. He knew Irish landlords of large property who resided in England, and when applied to by relief committees for subscriptions on behalf of the poor in Ireland, they only sent over *4l.* or *5l.* Other proprietors, such as Lord Devonshire, Lord Fitzwilliam, Colonel Wyndham and others, looked so well after their property, and performed their duties as landlords so properly, that they could not be called absentees. These, however, were solitary instances of good landlords. He could mention hundreds of absentees, some of whom had not visited their properties for forty years. Was it possible that gentlemen, with even the best disposition to promote the welfare of their tenantry, could, under such circumstances, rightly appreciate their condition? It was not in the power of any agent to afford that relief and assistance to the people which a landlord could do in person. But the advantage derivable from a resident gentry did not altogether consist in the amount of money that might be expended; the moral influence exercised by the landlord and his family on the minds of the poorer classes, was of still greater importance. He was quite happy to add his testimony to that of the worthy Alderman (Humphery) as to the excellent manner in which the properties of the London Companies were managed. He wished that all the properties in Ireland were as well attended to. If all the Irish landlords performed their respective duties as well as the London Companies, Ireland would not be in its present wretched condition. If the hon. Member for Limerick should divide the House on the question, he (Sir A. Brooke) would vote with him.

Mr. BELLEW disapproved of absenteeism, but did not think a tax on absentees would have the desired effect. He did not believe that absenteeism was the cause of the evil, but the want of capital. There were several estates in Ireland, the property of absentees, which were admirably managed; while estates alongside of them, and belonging to residents, were so much neglected that the occupiers were in the most wretched condition. Absenteeism was only an incident, and not the cause of the evil; and he thought it was misleading the public mind, and giving a wrong direction to popular feeling in Ireland, to propose an absentee tax as a remedy for the evils of Ireland. An efficient poor law would correct the evils of absenteeism, by giving confidence to those able to invest capital in the country. We could not lay out of our minds the causes of the evils of Ireland. These were mainly the cultivation of the potato and the subdivision of land. There were several concurrent causes, such as the penal code, the 40*s.* freeholds, the middlemen, and, after the middlemen were destroyed by the termination of the war, the ejection of the people from their holdings. All these things tended to make property insecure in Ireland. In 1830, there was a law in existence sufficient in itself to account for a considerable share of the outrages that were committed. That law made the occupying tenant responsible for the rent of the middleman. He conceived that the power of selling property would be a principal means towards the regeneration of Ireland. But if absenteeism were put an end to to-morrow, and those measures not passed, Ireland would be very little better than she was at present. In addition to a poor law, he thought it would be essential to have a system of emigration, and for public works. All that was wanting in Ireland, was confidence for the investment of capital; and confidence could not be had so long as 2,500,000 people were in a state of destitution. Dr. Kane, in his work on the industrial resources of Ireland, stated that what Ireland wanted was capital to develop her resources. He should be sorry for one moment to admit that all the absentee landlords had done their duty. He was sorry to say that he knew instances of men who derived upwards of 5,000*l.* a year from their estates, and when applied to for assistance by a relief committee, they wrote back to say that the distress was greatly exaggerated. But when told that if they did not subscribe to the relief of the poor, the committee would publish the correspondence, then they sent in their contributions; and one agent, connected with a property worth 5,000*l.* a year, gave 35*l.* There were many such cases; but, nevertheless, it would be misleading the public mind to say that absenteeism was one of the main causes of the distress of Ireland. He believed that a poor law, by securing the lower classes from the danger of starvation, would give security to capital and greatly improve the social condition of Ireland.

Mr. J. O'CONNELL thought that English Gentlemen who had considered carefully the effects of the poor-law system on their own country, would not be too ready to recommend the application of a similar system to Ireland. The hon. Member for Limerick proposed an absentee tax as one of the remedies for the evils of Ireland, but not as a measure that would of itself regenerate that country. The hon. Member for Louth attributed the distress of Ireland more to the cultivation of the potato, than to the drain of capital caused by absenteeism. But agriculture alone could not insure the prosperity of a country. The assistance of manufactures was necessary. The people of Ireland had been thrown altogether on the resources which agriculture supplied; this led to an undue bidding for land, and consequently to rack-rents, and caused the people to be reduced to the lowest scale of comforts—to live upon potatoes. The misery of Ireland was chiefly owing to the destruction of her manufactures, and the removal of her resident Parliament; which led to the abstraction of her capital. The work of Sir Robert Kane had been referred to; but that writer had entirely overlooked the circumstances which caused capital to be drained out of Ireland. Ireland had suffered most peculiarly from the evils of absenteeism. Other countries had suffered from the same cause; but in Ireland absenteeism was always felt to be so great an evil, that the word was adopted into the English language, and explained in *Johnson's Dictionary* by a reference to the conduct of the Irish landlords. In Ireland, absenteeism existed even during the continuance of the Irish Parliament. And why did it exist? Because that Parliament had been for a long time held in the most unconstitutional bondage. The prosperity of Ireland was restricted by laws against her commerce and native industry. Of course, under such circumstances, there was no inducement to the proprietors of the soil to remain in the country. At the end of the seventeenth century, the absentee drain was calculated at 136,000*l.*; in 1769, it had increased to 1,221,980*l.*; and in 1782, to 2,233,232*l.* At this period the Irish Parliament was made free and independent; commercial restrictions were almost entirely abrogated, and freedom of trade secured. From 1782 to 1800, according to Lord Clare, who could not be supposed to be a too favourable witness, no country in the world ever made such progress in manufactures, commerce, and general prosperity, as Ireland did in those eighteen years. During that period, the annual absentee drain was diminished to 623,322*l.*; but immediately after the Union the absentee drain rose again, until, according to a statement of Lord Cloncurry in the House of Lords, it reached 6,500,000*l.* According to the statements of the right hon. the Secretary for Ireland, Mr. Pitt, and Mr. Huskisson, it had been the policy of England before the Union to deprive Ireland of the use of her resources, and to restrict her manufactures. Since the Union, several Acts had been passed tending to draw away every shilling of her surplus capital. The grand effort of English policy at this time should be to stop those drains, and to keep Irish capital in Ireland. Ireland should have the use not of English, but of Irish capital, But to say that English capital was kept out of Ireland by Irish disturbances, was the silliest thing that ever entered into the brain of the shallowest theorist. It was well known by those who were connected with Ireland, that it was impossible for the people of that country, in the absence of a rich resident proprietary, to compete with the English in manufactures; the English capitalists were able to drive them out of their own market, in consequence of the absentee system. It was, then, the object of his hon. Friend, in bringing forward this Motion, to remedy that evil. Ireland was drained of the funds that were absolutely necessary to sustain commerce or manufactures in that country. England, with her large capital, was able to take small profits, and grant long credit in her commercial transactions; and every effort that Ireland had made to carry on trade or commerce had failed in consequence of the advantages enjoyed by the English manufacturers. When Ireland essayed to became a manufacturing country, she was immediately stopped by the ruinously low prices at which England was enabled to sell her goods. He did not mean to say a hard word against English capitalists driving the Irish manufacturer out of his own market; but he would maintain that the Legislature ought to have stepped in and given aid to Ireland, by preventing the annual drain from her resources, without which it was impossible for her to maintain her proper position. If Ireland would not make an effort to develop her resources, then indeed she did not deserve commiseration, then her people deserved impoverishment; but since it was well known that she had often made efforts to develop her natural resources by manufacturing industry, but failed in consequence of the evils under which she laboured, which could be remedied by the Legislature, he contended that it was the duty of Parliament to remove those evils. Parliament could cure the evil, and abolish the impoverishment of Ireland, and they ought not to shrink from doing so. It had been said that, in many instances, the absentee landlords of Ireland had properly and faithfully discharged their duties to their tenants. He was quite prepared to join with the hon. Member who had made that statement, in bearing testimony to the excellent conduct of a few individuals, who, though absentees, had, through the medium of their stewards, conferred great benefits upon the tenants of their estates in Ireland. He regretted that he had not been able to bring down to the House a letter which he had received last year from a most estimable clergyman, the rev. Dr. Fogarty, the parish priest of Lismore, who acknowledged in the most grateful terms the great good which had been conferred upon that district by the Duke of Devonshire, who possessed the greater part of the property there. Great credit was also due to the Marquess of Londonderry, the Marquess of Abercorn, and other noble Lords, for the benefits which they had respectively conferred upon their Irish tenantry. But it was absolutely beside the question to quote such solitary instances of the good conduct of the Irish absentee landlords, until they could prove that the effect of their going back to reside in Ireland would instantly make them bad landlords. Why, if they were good landlords now, should they become bad landlords the instant they went to reside in Ireland? *Cœlum non animum mutant qui trans mare currunt;* would their natures be changed by the sky or the soil of Ireland? Would the mere fact of their returning to Ireland make them bad landlords? If they went back to Ireland, their good example would have a beneficial influence upon their tenantry, and the capital and prosperity of Ireland would increase. Let them tax the Irish landlords as much as they pleased, Ireland never could prosper unless she had the benefits of a resident proprietary. It had been stated on good authority that the annual drain from Ireland by absenteeism amounted to 6,500,000*l.*, but whether that was correct or not he would not undertake to say; but he was confident, in taking the amount at 5,000,000*l.*, he was not overstating it. He wished the House to pay attention to the statements which he was about to lay before them as to the expenditure of Ireland. He held in his hand a paper which was a return (numbered 662) which he had moved for in May, 1845, as to the amount of Irish remittances into the British Exchequer. The House would find, by that return, that there had been, up to the year 1845, an excess of Irish remittances over the British into the national Exchequer of upwards of 19,000,000*l.* He was glad to see that the hon. Member for South Lancashire had moved for papers which would bear out his argument on this point. He was not quite sure whether that hon. Member had the same object in view as he had, in moving for those returns; but he was glad to be able to show by those returns which had been presented to the House on the 23rd of February, this Session, that during the years 1842, 1843, and 1844, whilst there had not been a single penny remitted from England, there had been 550,000*l.* remitted from Ireland into the national Exchequer, which, together with the previous sum, showed the aggregate amount of remittances from Ireland since the Union to be 20,000,000*l.*, which was equal to an annual remittance from Ireland, over and above that remitted from England, of 250,000*l.* And if to the sum of 20,000,000*l.* they added what had been on the importation of British and foreign manufactures, &c., it would give a total of 22,250,000*l.* It had been said by an hon. Gentleman opposite, that the present was not an opportune time for introducing such legislation as that proposed by the hon. Member for Limerick. But surely this time of distress and general poverty in Ireland was the very time in which the Legislature should compel the landlords of that country to do their duty faithfully to their tenants, and so mitigate the evils under which they laboured. At present there was no inducement for the Irish landlords to live in Ireland; and what he desired was to supply such inducement, for, without it, they would never have prosperity in Ireland. He called upon the House to forget awhile the strict principles of political economy, of which they had heard so much, and to help Ireland to the establishment of commerce and the development of her natural resources. If another year of distress should unfortunately come upon Ireland, they would then regret their apathy in this matter; they would find that they had been acting in any but a wise manner in refusing to encourage the landed proprietors of Ireland to spend their money in that country.

VISCOUNT CASTLEREAGH did not rise for the purpose of prolonging the discussion, but merely to express his concurrence in the sentiments which had fallen from the hon. Member for Louth (Mr. Bellew), to the effect that absenteeism was not the sole or even the greatest evil of Ireland. If anything could induce the proprietors of Ireland to reside on their estates at present, surely the distress which prevailed there should. He was glad to know that there were many resident landlords in that country, who were attending to the wants of their people during the present calamity. He entertained a confident hope that the proposed poor law for Ireland would have the effect of reducing the greater portion of the evils with which Ireland was afflicted. With respect to this Motion, he admitted that he was not prepared to repudiate it; but under the present circumstances of Ireland, and when the Government had promised to introduce Bills to facilitate the sale of landed property in Ireland, he thought it would not be wise to adopt this Motion, which would have the effect most probably of deterring Englishmen from purchasing those estates, and the objects of the Government in introducing those Bills would be thereby frustrated. He thought that the present was an inopportune occasion to introduce a measure which would damp the efforts of the Irish landowners during the present distress. He would advise the House to wait until they saw the results of the new poor law, which would make the landlords responsible for the poverty of Ireland. He thought that if that law were made to extend to the holders of jointures, mortgages, &c., it would be but acting justly towards the people of Ireland. In many instances he knew that the agents of absentee Irish landlords had lessened in a great measure the evils which flowed from Irish absenteeism; but at the same time he must say that no steward or agent, however humanely disposed, or however humanely he was instructed to act by his employer towards the tenantry of whom he had charge, could be as serviceable to that tenantry as the landlord himself. He hoped sincerely that the spirit which had been manifested in that House, and on this side of the water generally, towards the Irish landlords, would have the effect of inducing them to discharge their duties in a faithful and liberal manner. He regretted that two hon. Gentlemen of that House had thought fit to make what he might perhaps designate as vicious attacks upon the Irish landlords. He alluded to the hon. Baronet the Member for Marylebone (Sir B. Hall), who appeared to show them up as much as he possibly could. He found that the hon. Baronet had already had his reward; for it appeared by the newspapers that the parish which he represented had passed a vote of thanks to him. He regretted that the hon. and learned Member for Bath (Mr. Roebuck) was not in his place, because he could have assured him that there was in Ireland no small number of landlords who had done their duty faithfully to their tenants, and who were anxious to submit to all the inconveniences of poverty, that they were, in fact, prepared to lose their estates sooner than see their fellow-countrymen die of starvation.

COLONEL RAWDON wished for a moment to call the attention of the House to the wording of the resolution before the House. He was sure that the hon. Member for Limerick deserved great praise for the language in which he had couched his Motion. It appeared to him, that if the Motion were carried, it would really have the effect of conferring a benefit upon the absentee landlords of Ireland; for the tax that would be levied from them under this resolution would have to be laid out in the improvement of their own estates, on which they refused to reside. Why surely no one could object to such a resolution as that. They had already examples of the excellent effect which such a measure would have upon Ireland. The noble Lord the Member for Tiverton (Viscount Palmerston) did not reside upon his estate in Ireland; yet all the rent he received from that estate was expended in the improvement of it. He was inclined to say with the noble Lord who had just addressed the House, that this resolution scarcely went far enough; and that in his opinion holders of jointures, mortgages, &c., should be included in it. He thought that the House and the country had a right to expect that such parties should contribute as well as others to the support of the poor of Ireland. He believed that in many instances the tax proposed by this resolution had been voluntarily imposed upon landowners in Ireland, and that it had produced the most beneficial results. He agreed with the noble Lord who preceded him, that one of the great evils of Ireland was not merely the non-expenditure in that country of the rents which her landlords received from her, but also the absence of that moral influence which resident proprietors conferred upon a country. He thought that it was impossible for any one to travel through Ireland without instantly seeing the great difference between those parts of the country where there was a resident proprietary and those where there was not. The face of the country proclaimed at once whether or not there had been a kind and beneficent landed proprietary to superintend the labouring classes. The wives and daughters of the landed gentry conferred a benefit upon the neighbourhoods in which they resided by visiting the poor and promoting their comforts. Great praise was certainly due to the ladies of Ireland for the benevolent exertions which they had made on behalf of the suffering people of that country during the present crisis. By voting for the resolution of his hon. Friend the Member for Limerick, he wished it to be implied, that in his opinion it was right to make such landlords as neglected to perform their duties to their tenants pay a penalty for the destitution which their neglect brought upon the country, and that the moral influence which their residence amongst their tenantry produced, was as beneficial to the country as the expenditure of those rents amongst them. He wished it to be implied that those proprietors were highly culpable for depriving their tenants of the advantages which they ought to confer upon them, by discharging amongst them the duties of magistrates, grand jurors, &c. He had not the slightest wish to throw blame upon any one of the landed proprietors of Ireland who was at present faithfully discharging his duty; but he contended that it should not be left to the mere caprice of a landlord as to whether or not he should discharge his duties to his tenants. He conceived that the scenes of woe which at present exhibited themselves in Ireland, should induce those Irish proprietors who had hitherto absented themselves from their estates, now, at least, to return to them, so that they might alleviate the sufferings of the people of Ireland. The hon. and gallant Member read a letter from a lady in Armagh, which represented that county to be in a lamentable state of destitution, notwithstanding the boast of the Premier that the small holdings of the north of Ireland had made that part of the country prosperous and happy. He concluded by stating, that he conceived it to be his duty not to shrink on this occasion from voting in accordance with his hon. Friend's Motion, although he did not wish it to be understood that in so doing, he attributed the whole of Ireland's ills merely to the non-expenditure of her rents amongst her people.

MR. FITZGERALD thought that the statement of the hon. and gallant Gentleman (Colonel Rawdon) had given to this question a more important phase than it appeared to have before. An hon. Gentleman who had spoken in the course of this debate, had said that absenteeism was not the great evil of Ireland, but a want of capital. He (Mr. Fitzgerald) had never heard a more absurd argument than that. The hon. Gentleman admitted that there was an annual drain of 4,000,000*l.* out of Ireland in the shape of rents to the absentee landlords; and yet he said not absenteeism, but want of money, was the great evil of Ireland, forgetting that the drain which was annually taken out of that country was its legitimate capital. Unfortunately England had thought it politic not to remedy that evil of absenteeism, and Ireland was now ruined by it. The hon. Member for Southwark had made some most extraordinary statements that evening. That hon. Gentleman had said that no charge could be justly brought against the London Companies who possessed property in Ireland, because nearly the whole of the rents from their Irish estates were expended in the improvement of those estates. Indeed he said that they actually spent more in Ireland than the resident landlords. Now he happened to know that that was not the case in Galway at least, for the resident landlords there, actually spent more than they received. He admitted that the London company of which the hon. Gentleman was president, had spent more of their rents recently than formerly on their Irish estates; but that improvement had only occurred within the last few years; and he believed that what improvement there had been in that respect in Ireland, was due in a great measure to the statistics which had been repeatedly brought before the public by the members of Conciliation Hall. He fully agreed in the resolution, and felt that he should not discharge his duty if he did not express his gratitude to the hon. Member for Limerick in bringing it forward. The instances of the evil effects of absenteeism were numerous—he could mention one, where the owner of the property (Mrs. Oliver Gascoyne), which was situated in Cork, had not seen her tenantry for forty years. Lord Ormonde sold his English property, and resided upon his Irish estates in Kilkenny; and Lords Glengall and Mountcashell likewise resided on their property, and took care of the interests of their tenants and dependants.

MR. R. YORKE wished to propound two questions—first, how absenteeism was to be defined; and secondly, how the proposed tax upon it was to be reconciled with the great constitutional right of the subject to his liberty? If any Gentleman would answer these two questions as shortly as he put them, he would vote for the Motion.

MR. SHARMAN CRAWFORD agreed in the principle of the resolution, but found great difficulty in voting for it. As long as Ireland continued a part of the United Kingdom, it would be unfair to put a tax upon Irish proprietors residing in England, without also taxing English proprietors residing in Ireland. If such a law were passed, it might be productive of some good, but would be likewise attended with great evil. The proprietor who resided in one part of Ireland, whilst his property lay in another part of the same country, might neglect that property as much as if he resided out of the country altogether. Many of the absentee landlords had their estates much better managed, and a more comfortable tenantry, than some of those who resided in Ireland. He hoped the hon. Gentleman would withdraw his Motion.

The House divided:—Ayes 19; Noes 70: Majority 51.

List of the AYES.

Berkeley, hon. C.
Blake, M. J.
Brooke, Sir A. B.
Browne, R. D.
Callaghan, D.
Chapman, B.
Collett, J.
Fitzgerald, R. A.
Hall, Sir B.
Macnamara, Major
M'Carthy, A.
Newry, Visct.
O'Brien, C.
O'Brien, T.
O'Connell, D. jun.
O'Connell, J.
Rawdon, Col.
Sibthorp, Col.
Wakley, T.

TELLERS.

O'Brien, W. S.
Tuite, H. M.

List of the NOES.

Aglionby, H. A.
Arundel and Surrey, Earl of
Bannerman, A.
Baring, rt. hon. F. T.
Barnard, E. G.
Bellew, R. M.
Bowles, Adm.
Bowring, Dr.
Bright, J.
Brotherton, J.
Cardwell, E.
Chaplin, W. J.
Christie, W. D.
Christopher, R. A.
Cowper, hon. W. F.
Craig, W. G.
Dennistoun, J.
Dundas, Sir T.
Escott, B.
Forster, M.
Gibson, rt. hon. T. M.
Glynne, Sir S. R.
Gore, W. O.

Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Grey, rt. hon. Sir G.
Grosvenor, Earl
Hastie, A.
Hatton, Capt. V.
Hawes, B.
Heathcoat, J.
Heneage, E.
Herbert, rt. hon. S.
Hobhouse, rt. hon. Sir J.
Hope, Sir J.
Hume, J.
Humphery, Ald.
Inglis, Sir R. H.
James, W.
Jermyn, Earl
Jervis, Sir J.
Jones, Capt.
Labouchere, rt. hon. H.
Lambton, H.
Lincoln, Earl of
Macaulay, rt. hon. T. B.
Mackinnon, W A.
Mitchell, T. A.
Moffatt, G.
Monahan, J. H.
Morpeth, Visct.
Morris, D.
Mostyn, hon. E. M. L.
O'Brien, A. S.
Owen, Sir J.
Palmerston, Visct.
Parker, J.
Peel, rt. hon. Sir R.
Plumridge, Capt.
Ricardo, J. L.
Scrope, G. P.
Staunton, Sir G. T.
Stuart, W. V.
Thompson, Ald.
Thornely, T.
Trotter, J.
Ward, H. G.
Wood, rt. hon. Sir C.
Wyse, T.
Yorke, H. R.

TELLERS.

Tufnell, T.
Hill, Lord M.

SMITHFIELD MARKET.

Mr. **ORMSBY GORE**, in moving for—

> "A Select Committee to inquire into the necessity for the removal of Smithfield market, as a nuisance in the centre of the British metropolis, to some appropriate site comprising an area of not less than 12 acres, and the establishment of abattoirs in the vicinity of London,"—

said he was happy to inform the House that it would not be necessary for him to trespass on their attention, as his Motion was not opposed. He had been requested, however, by the Members of the city of London, to postpone the nomination of the Committee; and in order that every facility should be given to each side for thoroughly sifting the question, he should name Monday week, as that on which he should nominate the Committee.

Lord **MORPETH**: There was a report on the subject of the hon. Gentleman's Motion in the year 1828; and he believed the city of London had adopted many of the improvements suggested in that report, and had enlarged the area of the market. But still it was undeniable that there remained great ground of complaint, both as to the safety for life and the health of the neighbouring district. He was, therefore, glad to find that the Members for the city of London did not oppose the Motion for still further inquiry. Still less was there any disposition on the part of Government to oppose any obstacle to the appointment of a Committee; but he thought it only fair to all the interests concerned that no proceedings should be taken without due consideration.

Mr. **STAFFORD O'BRIEN**: As the proposal of the hon. Gentleman very much affected the interests of the county which he represented, he should have thought it his duty to enter into detail, if the hon. Gentleman had entered upon the consideration of the question. As the hon. Gentleman, however, had not gone into detail on one side, he should avoid doing so on the other. But he thought it right to say, that none of those with whom he was connected, at all wished to avoid the appointment of a Committee; and he believed that that appointment would be productive of the best consequences.

Mr. **WAKLEY**: He had been requested by a large body of his constituents to oppose this Motion; but he really could not, as he believed it to be of the greatest public importance that the evils of the present system should be exposed by a full and searching inquiry. The present practice was attended with great cruelty, and he trusted that the result of the inquiry would give full satisfaction, not only to the metropolis, but to the country at large.

Mr. **PROTHEROE** suggested the propriety of the market being held on a Tuesday instead of Monday. At present, by the preparations for the market, the Sabbath-day was much infringed upon; and an old Smithfield drover once told him, that he had not either had rest or been at any place of divine service for forty years on the Sunday, having been always either on the road for Smithfield or preparing for it. He could not see any good reason which could be urged against the change.

Alderman **HUMPHERY** suggested that if Smithfield market were abolished, abattoirs should be established in the outskirts of London, as otherwise the removal of the market from the centre to any extremity of London would increase the nuisance instead of diminishing it, by driving cattle from one end of the town to the other.

Mr. **R. YORKE**: I beg to say that that idea is mine, and I am very proud of it.

Mr. **HENLEY** recommended that Government should take this matter into their own hands.

Mr. **O. GORE** replied, and said he should be extremely happy to leave the matter in the hands of the Government; or if the Committee were granted, he would take care that it should be impartial.

Motion agreed to.

CASE OF MR. MARA.

Lord **LINCOLN** then rose, pursuant to

notice, to call the attention of the House to the petition of Mr. Richard Weston Mara, barrister, Dublin, which was printed with the Votes on the 9th ult. The noble Lord reminded the House, that early last Session the hon. Member for Finsbury (Mr. T. Duncombe) moved for leave to bring in a Bill respecting friendly societies in the three kingdoms—the object being to rectify certain inconveniences which had arisen to those societies from a decision by Mr. Justice Wightman. With some amendments the Bill passed the House of Commons. It was then sent to the House of Lords, without any clause affecting the appointments of registrars of friendly societies, which, as respected England, was in the gift of the Commissioners for the National Debt; as respected Ireland, in the gift of the Attorney General; and as respected Scotland, in the gift of the Lord Advocate. But before the Bill was read a third time in the House of Lords, it was deemed advisable to refer it to a Select Committee, with a view to more mature consideration. In this Committee it was proposed, and eventually agreed to, that the mode of appointment in future should be altered; that the appointment should in all cases be in the gift of the Commissioners for the National Debt; and that the holders of these appointments should not vacate them with change of Government, as had been the practice heretofore. In conformity with this recommendation, a clause was drawn up with a view of carrying this resolution into effect, and in this shape the Bill passed. It was understood that the holders of the offices at the time the Act passed, should be allowed to continue in them; and Mr. Mara, who was the barrister appointed to certify to rules of friendly societies in Ireland, upon this understanding, took an office at 50*l.* a year, and engaged a clerk, with a view to the performance of the new duties. In the meantime, however, a change of Government took place; and two months after the Act passed, the present Ministers of the Crown removed the petitioner on the ground that he had not been reappointed by the preceding Government after the passing of the Act, as was required; and appointed another person (Mr. Connor), a private friend of the Attorney General for Ireland. Now, he maintained that not only did the late Government entertain no idea that the appointment of Mr. Mara would lapse; but that the present Government, for two months after they came into office, entertained precisely the same opinion as their predecessors. To prove this, he read extracts from certain letters from the Home Office, recognising Mr. Mara as the registrar for Ireland. He contended, further (and quoted the Act of Parliament to show), that the removal of Mr. Mara and the appointment of Mr. Connor was illegal; and that, if legal, it was in direct contravention of the intention of the Legislature. The arguments he had used were not mere assertions; he had corroborated his own construction of the wording of the Act by the opinions of high legal authorities; and he thought he had shown very plainly that the course pursued in this instance was one impolitic as regarded the public, and unjust in the extreme as regarded the individual. He thought that this case indicated something like a wish on the part of Government to grasp after small bits of patronage. The noble Lord concluded by moving for a copy of the correspondence which had taken place between the Commissioners and Mr. Mara on the subject.

The CHANCELLOR OF THE EXCHEQUER said, the noble Lord was wrong in asserting that Mr. Mara was a man experienced in the duties of the office, for he had not discharged the duties for six months when the change of Ministry occurred, which led to a fresh apppointment. Previous to the passing of the Act to which the noble Lord had referred, as making out his case in favour of the continuance of Mr. Mara, the invariable practice was for the Attorney General for Ireland for the time being to appoint an officer to certify the rules of friendly societies in that country. The Lord Advocate made the same appointment as regarded Scotland; and as to England, Mr. Tidd Pratt had discharged the duties for many years. Supposing, therefore, that the new Act had not passed, Mr. Mara must have experienced the same fate as his predecessors, and retired from office with the Attorney General who had appointed him. When he came into office, he was not aware that any Act regulating the appointment had passed; but, on his attention being directed to the fact, he went over the Act, and found that it was imperative on him to make a new appointment. It was required that, after the passing of the Act, the title of the office should be changed, and, also, that the appointment of the officer should rest with the Commissioners for the Reduction of the National Debt. He could not see how any person who had been appointed by the previous Attorney General could be regarded as an officer who had been appointed by the Commissioners for the Reduction of the National Debt; and although Mr. Mara had been continued, it would have been necessary that he should have received an appointment in accordance with the Act. It was unfortunate for that gentleman that the change of Government did take place; because he believed that had the late Government remained in office he would have received the appointment. The question which he had to decide, on becoming acquainted with the provisions of the Act of Parliament, was, who should be appointed; one who had been recommended by the late Attorney General, or the one recommended by the present Attorney General. In the first case the individual had not held office for six months: he had therefore no vested right in the appointment, nor any claim from experience, and altogether he thought there was nothing in his case which called upon him to depart from the usual practice. There was nothing in the Act to show that the person who held the office when the Act passed, was to receive the appointment. The right hon. Gentleman concluded by stating that he would not object to the production of the correspondence moved for.

Mr. GOULBURN did not entertain the least doubt as to the accuracy of the statement which had been made by the Chancellor of the Exchequer as to the previous practice; but the object of the Act was to prevent a continuance of that practice, it having been found exceedingly inconvenient that such officers should be changed with every change of Government. As to the legal construction of the clause, he was not prepared to offer an opinion; but if it was right that a new appointment should be made by the Commissioners for the Reduction of the National Debt, the intentions of the framers of the Act ought to have been considered as to the person who should receive the appointment. Mr. Mara was in office, and if a new appointment was necessary, it ought to have been made on the day subsequent to the passing of the Act. There was another point to which he wished to direct attention—the fact that in one case the appointment of one of the officers had been ante-dated so as to legalize the certificates he had given during the interval that he was not legally in office; but in his opinion this was not sufficient to cure the evil; and that in point of fact all the acts of the person he referred to were illegal. Had the hon. Member for Finsbury been present, he would have directed his particular attention to that fact. As to Mr. Mara, his opinion was that the Chancellor of the Exchequer, in superseding him, had exercised a patronage which it would have been better had he avoided.

The CHANCELLOR OF THE EXCHEQUER begged to assure the right hon. Gentleman that he did not think there had been any removal, because he did not understand that the person who held the office under the late Attorney General was in office when the new Ministers came into power. He should be extremely sorry to think that anything connected with the transaction could be construed into any reflection on the character or ability of Mr. Mara.

Motion agreed to.

THE RAJAH OF SATTARA.

Mr. HUME moved for the following documents:—

> "Copies of a Despatch from the Secret Committee of the Court of Directors of the East India Company to the Right honourable the Governor-General of India, respecting the Ex-Rajah of Sattara, dated the 24th day of March, 1846; and a Copy of the reply of the Right honourable the Governor-General of India to that Despatch; together with Copies of the several documents referred to in that reply, or connected with it:—Of any other Letters which have been addressed by the present Governor-General of India to the Court of Directors of the East India Company, or to the Secret Committee of the East India Company, relating to the case of the Ex-Rajah of Sattara, from the period of his Lordship's arrival in India to the present time:—And of the Minutes of Dissent of Members of the Court of Directors which have been recorded by any member of that Court, and not hitherto published, relating to the case of the Ex-Rajah of Sattara, from the 30th day of April, 1840, to the present time."

He had occasion at a former time to explain the injustice that had been done to the Rajah of Sattara, and he thought his right hon. Friend the President of the Board of Control ought, as an act of justice, to produce these papers.

Sir JOHN HOBHOUSE said, it was a very invidious task at any time, or from any motive, for a Government to refuse the production of papers; but at the same time he thought, when he had stated the plain case to the House, they would agree with him that these were documents which ought not to be given. His hon. Friend had stated what he conceived to be the contents of the papers; but his hon. Friend was quite wrong in his description of them.

But whether he was wrong or right, the question was whether, as a general proposition, it was a proper thing that the correspondence between the Governor General and his servants, and persons employed by him in the performance of delicate functions, should, on such a statement as that made by his hon. Friend, be produced before the House. But, independently of that consideration, there was a fact which he wished to state to the House that was conclusive on the subject. He was sorry to say it—for it redounded to the disgrace of the parties concerned—that copies of those confidential despatches had some way or other found their way into England. His hon. Friend would not deny the fact. His hon. Friend had been fair enough to tell him of it, and it was no breach of confidence to state it. He had just looked to the envelope, and he saw that by some means or other those despatches had been purloined from the Secret Department, either in Calcutta or in England. Now he would ask the House whether, by giving the sanction of Parliament to the production of those papers, they would encourage that which was a fraud, a perjury, a breach of trust; and which, if it were to receive the slightest encouragement from the House of Commons, or any branch of the Legislature, would make government not only impossible in India, but impossible anywhere. This must be the effect if the secret despatches of parties in those responsible situations, were to be procured by such modes. The Governor General was answerable to the home authorities. Major Carpenter was answerable to the Governor General; and it was quite clear from the correspondence of his hon. Friend, that some such breach of confidence must have taken place, for he saw that the date of the letter was mentioned. How was it possible for any person to know the date of the letter, but by a breach of trust and confidence? He did not think it at all necessary to go into the question of the innocence or guilt of the Rajah; but what he said was, that the House of Commons ought not to do anything to encourage for the future the possibility of such an act as this. It ought not to receive encouragement; for suppose any man wanted to get at the secrets of the State in India, he had nothing to do but to get at some scrap of information or piece of paper from any of the departments, and then say in the House that he had got this in his possession, and they might as well consent to give it to him. Did his hon. Friend want to know what the sentiments of Major Carpenter were? [Mr. Hume: Of the Governor General.] His hon. Friend knew them. Why did not the parties who had obtained these papers publish them in a newspaper? Because they were ashamed of the transaction — they were ashamed of having procured them by these indirect means, and did not choose to argue on them. For any honest man would say, how did you get those papers? Did you pay for them? Did you steal them? Did you purloin them? He asked his hon. Friend how he had got them? [Mr. Hume: I told you.] Though his hon. Friend did not approve of the transaction, he was putting a seal on it which, if the House of Commons consented to the production of those papers, would not be very easily removed. He disclaimed any wish to prejudge the case, or do anything unfair to this unfortunate person; and he would tell his hon. Friend, that had it not been for the fact of this roguery, of this thievery, he would most willingly have produced those papers. But as it was, he threw himself on the House of Commons to protect him in the refusal of those papers. He begged leave to say that this was not the first refusal of them, for the Court of Directors had had the matter under consideration, and by a majority of 14 to 8 refused the papers. At the same time he must protest against any inference which might be drawn that he wished to conceal anything Major Carpenter might have said. The time would come when he should not object to the production of the papers.

Mr. WILLIAMS said, it was the opinion of many persons well acquainted with the facts, that this unfortunate Rajah had been dispossessed by roguery, yet when means had been discovered of proving this roguery, the right hon. Gentleman refused the production of the papers, because they had been procured, as he said, in some surreptitious manner. Did the right hon. Gentleman mean to deny that those papers vindicated the character of the Rajah? [Sir J. C. Hobhouse: I said they did not.] The House of Commons had a right to know whether the Rajah had been treated in the disgraceful manner which was asserted; and it was the duty of the Board of Control to afford the documents necessary to ascertain the facts.

Mr. BRIGHT said, the right hon. Gentleman had made charges against parties interested in the production of those papers; but he happened to know some of those who were much interested in this question, and he knew perfectly well that they were totally ignorant of the source whence those papers had come. Every person acquainted with India must know that it was not a difficult thing there to obtain copies of the despatches that passed between official persons. The right hon. Gentleman had no objection to produce the papers, or to let the country know what they contained; but because he thought there had been some dishonesty in the mode of obtaining them, he would withhold from the country the evidence necessary to arrive at the facts. He thought the right hon. Gentleman did very great injustice to the Rajah in placing his refusal on so low a ground. Seeing that the character of our Indian Government was at stake in their treatment of this prince, he thought the public mind both in this country and India ought to be set at rest as to the cause.

Sir E. COLEBROOKE thought the House should be put in possession of full information with respect to the conduct of the Home Government, and unless his right hon. Friend said that injury would result from the production of those papers, he did not think he had made out a strong case for their refusal.

Mr. AGLIONBY suggested that if the right hon. Gentleman would consent to produce one portion of the papers, his hon. Friend might postpone his Motion affecting the rest.

Sir R. PEEL thought that the right hon. Gentleman (Sir J. C. Hobhouse) was perfectly right in refusing to lend the sanction of Parliament to the very improper manner in which these papers had been obtained. The example would be most prejudicial if the House were to lend its sanction to such a proceeding. Suppose on the subject of Cracow, recently under discussion, some hon. Member had come down to the House and said, "I am in possession of important papers bearing upon this question. It is quite true I got them in a very reprehensible manner, through a connexion which I had established with some parties belonging to the Foreign Office; but having got them, there can be no objection to their production by the Government." Why, if that conduct were sanctioned by the House, it would be destructive of all confidence. Under such circumstances nothing could be more improper than to produce them.

Dr. BOWRING did not conceive that the surreptitious manner in which those papers had been obtained, afforded the right hon. Baronet sufficient ground for refusing to lay them before the House. Was it not a fact that the correspondence between Lord Castlereagh and the Emperor of Russia appeared in *The Times* newspaper before its production by the noble Lord the Secretary of State for Foreign Affairs? and yet that noble Lord did not refuse the production of copies of that correspondence when called for by the House.

Viscount PALMERSTON observed, that there was a great distinction between the two cases. The correspondence between Lord Castlereagh and the Emperor of Russia was legally and properly in the possession of other persons, and no fraudulent abstraction had been made by any party from the Foreign Office. It never was supposed that the editor of *The Times* journal had obtained possession of those papers improperly, or that any infraction of good faith had been committed. He had no hesitation in saying that if that correspondence had not been published in the newspapers, there was nothing in it which would have prevented him from laying it before the House.

Mr. HUME said, he had reason to believe that the papers had been sent from Calcutta to this country, and he had no doubt they had been forwarded by some person who had a strong sense of the injustice done to the Rajah. After the statement of the right hon. Gentleman, he was willing for the present to withdraw all but the last paragraph of his Motion.

Motion withdrawn.

The following Return was ordered—

"Of any Letters, not already laid before this House, addressed by the present Governor General of India to the Court of Directors of the East India Company, relating to the case of the Ex-Rajah of Sattara.

"Of any Minutes recorded by the Court of Directors, or by any Member of the said Court, relating to the same case, and not already laid before this House."

CORPORAL PUNISHMENT IN THE NAVY.

Mr. HUME moved for—

"A Return of the number of persons flogged in the British Navy in each of the years 1845 and 1846, specifying the name of the ship, the offence, the sentence, and the number of lashes inflicted.

"Also for an 'Abstract of the total number of Corporal Punishments in the Navy, and the total number of lashes inflicted, in each year, up to the 31st day of December, 1846 (in continuation of Parliamentary Paper No. 308 of Session 1845')."

ADMIRAL BOWLES: I was not aware when I before opposed the production of those returns, that similar ones had been acceded to by the War Office last year at a very late period of the Session, August 17th, when Parliament was on the point of being prorogued, in consequence of a most unjust and groundless clamour excited by the extraordinary proceedings of an inquest at Hounslow; and I cannot refrain from observing that if the Secretary at War had, instead of allowing himself to be intimidated by this clamour, sent a firm and able lawyer to watch the coroner's conduct—to see that the inquiry was legally and impartially carried on—that no lawful evidence was excluded, and no suspicious testimony sought for—he would have better performed his duty, and would have protected Her Majesty's service from these unfounded aspersions. However, Sir, my present object is with these returns moved for by my hon. Friend the Member for Montrose, in the shape in which they are asked; and I beg most clearly to explain that I do not in the slightest degree object to the production of all the information which may be necessary to enable the House to ascertain the increase or decrease of corporal punishment in the Navy; and nobody will rejoice more sincerely than myself at the arrival of that day when the steadiness, sobriety, and good conduct of our seamen may render it no longer indispensable for the preservation of order and discipline. With a very large proportion, that period has already arrived; and I would only therefore most earnestly caution the House against the danger of defeating our own object by indiscreet and ill-judged precipitation. What I distinctly and strongly do object to in these returns is, the giving the names of the ships, because I am certain that most unjust and painful reflections will be cast on the characters of many deserving and honourable officers who, in the execution of their duty, and without the slightest blame attaching to them, have, from circumstances beyond their control, and which cannot now be explained, been more severe than others. I am fully aware that I shall be met by the plausible question —"Is there anything which should be kept back with respect to the Navy, when it has been granted for the Army?" But I contend, that no fair comparison can be drawn between corporal punishments in the two services. A regiment is always in a state of organization and discipline. The young recruits mixed up with old and steady soldiers, are daily imbibing instruction in order and regularity, and, above all, that *esprit de corps* so invaluable in a soldier. The commanding officer has also always the means of confinement at hand, either in barracks or prisons, besides many other secondary punishments. But how different is the situation of the Navy—a ship (especially the smaller classes) has no place of confinement whatever for more than one or two men. Very few secondary punishments can be resorted to; and, what is the strongest part of my case, our system of disbanding and discharging our men every three years, and then recommencing what we have just destroyed—the organization and discipline of our ships—imposes a double amount of difficulty on our officers, and, as may easily be imagined, there is an inevitable increase in the amount of offences and punishments during the first year of a ship being in commission. But how cruel and unjust will it be to an officer who has been faithfully and zealously performing a difficult and painful duty, to hold him up to the ignorant and prejudiced part of the public as a tyrant and oppressor! And yet this is inevitable if the names of the ships are given. I also strongly object to an irresponsible body like this House, assuming the functions of the Executive Government, and virtually constituting itself a court of appeal against the proceedings of military and naval tribunals. The only effect of this proceeding will be to shake the confidence of our men in the justice of their superiors, and thus increase offences and insubordination; and let those who advise this course remember that a former House of Commons succeeded, it is true, both in detaching the Army from its allegiance, and dethroning their monarch; but they were themselves very soon afterwards expelled from their own seats within these walls, by that very Army which they had courted and corrupted. I am fully aware that if Her Majesty's Government is determined to lay these returns on the Table, no opposition of mine can prevent their doing so; but I earnestly entreat them at least to reconsider the question, which has been now, perhaps for the first time, fairly placed before them, before they come to any final and irrevocable decision.

MR. WARD very much regretted that the hon. and gallant Admiral should have thought it necessary to differ from the opinion which had been adopted by Her Majesty's Government, after much deliberation upon the subject before the House. They thought that the publication of these returns would be productive of the most beneficial results. He was prepared to sustain the system of corporal punishments on board ship, admitting, as he did, the difference between the two services alluded to by the gallant Admiral, and because he thought that in some instances it could not be dispensed with. But he thought it was desirous to have the safeguard of publicity, under which he did not think that any stigma could affix to those officers who did their duty.

Mr. WILLIAMS was glad to hear the hon. and gallant Admiral say that he would be glad to see the day when corporal punishment would be dispensed with altogether. But as a proof of the beneficial effects which had followed the publication of the returns of the punishments inflicted, he should observe, that during the close of the year 1845, and the first seven months of the year 1846, the number of corporal punishments inflicted in the Army stationed at home was 316, whilst the total number inflicted since the publication had been only five.

Returns ordered.

IMPROVEMENT OF TOWNS.

Viscount MORPETH moved for leave to bring in a Bill for consolidating in one Act certain provisions usually contained in Acts for paving, draining, cleansing, lighting, and improving towns.

Mr. AGLIONBY wished to know whether the Government intended to bring in a general Bill on the subject.

Sir G. GREY replied, that the subject was under consideration with a view to that object.

Sir R. PEEL observed, that if this Bill did not put a stop to the applications for private Bills, it would not fulfil the anticipations held forth in Her Majesty's Speech at the commencement of the Session. The object should be to make a Model Bill, so that persons might be enabled to tax themselves in matters for improving the health of towns.

Lord MORPETH stated that the Bill was of a declaratory nature. With respect to the general Bill for the promotion of the sanitary condition of towns, he had given notice of it for Tuesday week. As for a Model Bill on this subject, he could not take it for granted that the Bill would pass; but if it did, it would facilitate the passing of such a Bill on a future occasion.

The Earl of LINCOLN was sure, from his own experience, that the noble Lord would find it better to put a stop to private legislation on this subject until after he had introduced his general Bill.

Lord MORPETH trusted that the Bill would prove satisfactory; but it would not be expedient to put a stop to private legislation until the Government could tell whether the measure would pass, or at any rate until the House had decided on it.

Motion agreed to.

Bill brought in, and read a first time.

HARBOURS, DOCKS, AND PIERS CLAUSES BILL.

Mr. WARD moved that the Committee on this Bill should be postponed until Monday.

Mr. CRAVEN BERKELEY said, the adoption of this Bill would lead to a most wanton and improper interference with private property. It would take away the right of occupying wharfs which extended for thirty miles on each bank of the Severn. He had taken the opinion of counsel on the subject, and he was assured that rights of the people which had existed for 700 years would be taken away by a clause which was in this Bill. He could not conceive why the Admiralty should introduce such a measure.

Mr. WARD observed, that the Bill did not originate with the Admiralty. It contained no enacting powers, but was merely intended to consolidate Acts already in existence. He hoped to be able to introduce a clause which would meet the objections of his hon. Friend, and save all existing rights.

Bill postponed.

House adjourned at a Quarter past One.

HOUSE OF LORDS,

Friday, March 19, 1847.

Minutes.] Petitions Presented. By the Earl of Wicklow, from Wicklow, against Out-door Relief, and for Alteration of the Present Mode of Rating.—By the Duke of Richmond, from Storrington, against the Poor Removal Act.

POOR LAW (IRELAND).

The Earl of WICKLOW presented petitions from the grand jury of the county of Wicklow against the principle of giving out-door relief in Ireland, against altering the present mode of rating, and for encouragement of emigration. The object of the petitioners was undoubtedly a good one; but they, in common with many other persons, had incorrect ideas of the power of a Government on such a subject. The exertions that were being made by individuals, he thought, might be encouraged; and he suggested that a provision might be introduced into the Bill granting a loan of 1,500,000*l.* for the improvement of the land in Ireland, authorizing the advance of money on the same terms, on condition that it should be employed in promoting emigration.

The Duke of RICHMOND presented petitions from Storrington, Sussex, and from the Newell Union, against the Poor Removal Act. He thought it unfortunate it should be stated in Parliament that the legal construction of the Act was totally opposite to the intention of the Legislature. The law of settlement could not be settled in a single Session; and no Government should have undertaken it in the last Session of a Parliament.

Lord CAMPBELL said, it might have been intended that the operation of the Act should be retrospective as well as prospective; but the intention of the Legislature could only be collected from what it actually said. He agreed with the report of the Committee, that no alteration of the Act was advisable now till the whole question of the law of settlement had undergone consideration. He believed, on the whole, the measure had worked well, both for the poor and the land.

The Earl of SUFFOLK thought much of the difficulty had been caused by the construction put on the Act by the lawyers, who generally made " confusion worse confounded."

After a few words from Lord WALSINGHAM,

Lord BROUGHAM said, he had never received more applications on any subject than on this Poor Removal Act. They came from all quarters, from persons perfectly understanding their mother tongue, but who were quite unable to understand the stepmother tongue in which this Act of Parliament was written. The oppressive operation of the Act was not what they most complained of; their chief complaint was, that they could not comprehend the meaning of the Act, and were utterly at a loss to know what to do with it.

Lord BEAUMONT thought a declaratory or temporary Act should not be passed while they were looking forward to a change in the whole system.

THE "IRISH PARTY."

The Marquess of CONYNGHAM said, he had seen himself described in the newspapers as forming one of a deputation from the "Irish Party," who waited upon Lord J. Russell, and protested violently against the proposal of affording out-door relief to able-bodied Irish paupers. He felt it necessary to state publicly that he formed no part of that deputation; and, further, that he hoped very shortly to have the pleasure of recording his vote in favour of the proposition which he had been represented as objecting to.

Lord MONTEAGLE said, that the insertion of the noble Lord's name in the list of the members of the deputation was a mistake which originated in this way—the noble Lord was present at the commencement of the meeting at which the resolution against out-door relief was agreed to, but left the meeting before that resolution was brought forward. Only five persons voted against the resolution, and the secretary put down the names of all who were present at any time during the meeting as having voted for the resolution, except the five who voted against it.

Lord BROUGHAM: I understand that the course of procedure of the "Irish Party" is this—that those persons whose names appear on the minutes as having been present at this meeting were not there, and those whose names appear as having been absent were there. I do not know if this is really the case, but so I have been informed.

House adjourned.

HOUSE OF COMMONS,

Friday, March 19, 1847.

Minutes.] Public Bills.—1° Lunatic Asylums. 2° Prisons; Custody of Offenders; Indemnity.

Reported.—General Register House (Edinburgh).

Petitions Presented. By Mr. T. Duncombe, from Drogheda, for Alteration of the Law respecting the Registration of Voters.—By Mr. Craven Berkeley, from Cheltenham, for Alteration of the Law of Marriage.—By Mr. Bright, from Westminster, and Mr. T. Duncombe, from Finsbury, for Inquiry respecting the Rajah of Sattara.—By Mr. Brotherton, from the Fitzroy Teetotal Association, Marylebone, against the Use of Grain in Breweries and Distilleries.—By Mr. Dennistoun, from Glasgow, against the Proposed Measure relating to Colonial Spirits.—By Mr. Wyse, from Shipowners of several places, for Reduction of the Lighthouse Dues.—By Lord R. Grosvenor, and other hon. Members, from several places, respecting Remuneration to Tax Assessors and Collectors.—By Mr. T. Duncombe, from Bolton, for Repeal of the Anatomy Act.—By Mr. Bright, from Lancaster, and Cheshire, respecting the Cultivation of Cotton in India.—By Mr. Somers, from Sligo, for the Encouragement of Emigration.—By Mr. Bright, from Kent, and Norfolk, against the Government Plan of Education.—By Mr. Wyse, from Kilkenny, for Relief of the Destitute Poor (Ireland); and from Guardians of the Athy Union, for Alteration of the Poor Law (Ireland).—By several Hon. Members, from numerous places, for an Efficient Poor Law (Ireland).—By Mr. O. Gore, from Sligo, against the Poor Relief (Ireland) Bill.—By Mr. C. Buller, and other Hon. Members, from several places, for Repeal or Alteration of the Poor Removal Act.—By Mr. A'Court Holmes, from Yarmouth, in favour of the Ports, Harbours, &c. Bill (1846).—By Sir John Easthope, from Leicester, for the Abolition of the Punishment of Death.—By Mr. Balfour, from Dunbar, respecting the Registration of Births and Marriages (Scotland) Bill.—By Mr. S. Crawford, from Londonderry, for the Legalization of Tenant Right (Ulster).

COMMITTEE OF SELECTION.

Mr. BOUVERIE begged to ask the following questions, of which he had given notice, viz.—"Whether the Great Western Railway, or its agents, or the South Western Railway, or its agents, had been asked by the Committee of Selection to state to what Members of the whole House they objected as Members of the Committees to be appointed for Groups 5 and 6? Whether the Great Western Railway Company, or its agents, had objected accordingly, to upwards of 300 Members of the House? And, whether it was the practice of the Committee of Selection to communicate to opposing parties in any railway group the names of the Chairman and Members proposed to be appointed for the Committee on that group?" He said the facts of the case were these: The Committee of Selection on Railway Bills reported on the 11th of February, that they had grouped certain Bills into two sets, Groups 5 and 6. Group 5 contained seven Bills affecting railways in the neighbourhood of Windsor and Staines; and Group 6 thirteen Bills, specially relating to the west of England; and in each of these groups was a Bill belonging to the South Western and the Great Western Railways respectively—in other words, the broad and narrow gauges. On the 15th of February, the Committee of Selection gave notice that they had appointed a Select Committee to try the merits of this question, and they gave a list of the Members whom they had appointed for the Select Committee. That list was submitted to the Parliamentary agents on both sides—that was, to the agents of the Great Western and of the South-Western Companies. Objections had been raised by those agents, and in consequence thereof the Committee of Selection had discharged the Committees originally appointed, and substituted a fresh list of Members to serve on those groups. The Committee of Selection had asked also from two or three railway companies a list of the Members to whom they objected; and as, in his opinion, such a step was most derogatory to the dignity of that House, he had thought it right to put the questions.

Sir W. HEATHCOTE said, the communication to which the question of the hon. Member referred, was not made to two companies only, but to all the principal railway companies who had Bills before the House, stating that the Committee desired to have from them what would have been of great assistance—namely, lists of Members disqualified to serve on groups, with the reasons assigned. The Committe, however, received but two lists, one from the Great Western Company, and the other from the London and Birmingham Company, with a list of names of Members to whom they had some objection. He knew nothing of those lists, which were sent back. The other companies found some difficulties in furnishing the lists, and sent none. With respect to the last question, "Whether it is the practice of the Committee of Selection to communicate to opposing parties in any railway group the names of the Chairman and Members proposed to be appointed for the Committee on that group?" he could say that it had not been so whilst he had been in the chair; and not, he believed, at any time. It was a course pointed out by law in Election Committees to call upon parties to say whether they had any objection to names. He was not prepared to say that this course would not be right; but he was prepared to say that it had not been pursued by the Committee of Selection. With respect to the discharge of a Committee, that matter had been already brought before the House by the right hon. Member for Coventry, and he (Sir W. Heathcote) had given an explanation of that matter to the House.

Mr. ELLICE should liked to have heard from the hon. Baronet the Chairman of the Committee of Selection a further explanation of the practice of the Committee, which he (Mr. Ellice) thought extremely questionable, and requiring alteration; for, unless he misunderstood that practice, it was this: After naming Members of the House upon a Group Committee, and having asked them whether they would serve, and they were competent to serve, and they had declared they had no interest, direct or indirect, nor any bias, and they had agreed to serve, and their names had been published as Members of the Committee by the tribunal appointed by the House; any of those Gentlemen was still subject to the imputation of being declared incompetent by reason of some interest, he having accepted the office, and being required to make a declaration, before he sat upon the Committee, that he had no interest whatever. He had hoped that the hon. Baronet would have acknowledged that it was an erroneous practice, that, without any reference to the Member, an objection should be permitted to be taken to him behind his back. In his own case, if the Committee of Selection had referred to him, and had said that some objection had been made to his being upon the Committee by parties connected with the Bill, he should at once have told the hon. Baronet whether the objection had the least foundation; but he had no interest or bias, and whoever had stated he had, must have stated what was groundless and false. He considered that the House was bound to protect Members who performed an invidious duty; and if the Committee of Selection had committed an error, the House should have an assurance that the practice would be altered in future, or it should be better defended than it had been by the hon. Baronet.

MR. WILSON PATTEN thought the House would commit a great mistake if they did not place a great deal of confidence in the hon. Baronet. There were many objections that were not available in that House to Members sitting on Railway Committees; for instance, Members might have expressed opinions respecting a particular railway, which his hon. Friend could not be supposed to know unless the fact was brought under his cognizance by other parties. The situation filled by his hon. Friend was a most painful one; and if the way in which he exercised his judgment on every occasion was to be questioned, his position—already very painful—would be rendered more so. The object was to keep those tribunals in a pure state, and not allow them to be subjected to a suspicion of partiality; and if his hon. Friend had erred in his decision on this question, the House would allow he could only have one motive (to which he had referred) for acting as he had done.

MR. ELLICE explained. He hoped he had not expressed himself in any way to offend the hon. Member. It was true he had spoken warmly on the subject, but he did so because he believed the character of the House was involved in the matter. He disclaimed any intention of wishing to cast any imputation whatever on his hon. Friend opposite; he disclaimed it the other night, and he did so now. He knew the arduous duty of a Member of the Committee of Selection; but he hoped that the practice of making charges against a Committee behind its back would not be repeated again.

MR. S. HERBERT considered that there was no wish on the part of the hon. Gentleman with whom the discussion had originated to cast any imputations on the hon. Member. A misrepresentation prevailed as to the sort of objections made against Members nominated to serve upon Committees. The South Western had sent a list to the Committee of the Members to whom they objected on personal grounds; but they refused to entertain any such proceeding on the part of the company, and the list was in consequence returned to them. What the Committee asked for was a list of the Members who were disqualified from sitting on the Committees, according to the Standing Orders of the House. It was possible that a Committee might not know those Members who were directors of companies, and, therefore, it was necessary that such a list should be furnished to them whenever they required it.

SIR WILLIAM HEATHCOTE had explained, or intended to explain, as well as he could, that no imputation had been cast upon any Gentleman. The imputation, if it were one, was simply this, as he had stated to the House before, that it so happened, by accident—by an oversight—that the Members in a particular case had, with a few exceptions, been selected from one district of the country, who, and for reasons shown to them, they did not think were fit to be put upon the Committee that was to try that particular case; but the objection had no reference to any Gentleman's private character. Now, he must put himself upon the judgment of the House. His right hon. Friend had called upon them to say that what they had done was wrong, and that they would not repeat it any more; but so far as he (Sir W. Heathcote) could see, he believed what they had done was right; and this he must say, that if, from oversight, or from want of sufficiently early information, or otherwise, it should happen that on another occasion they should have unfortunately named a Committee, with respect to whom it afterwards appeared there were such reasons as in their minds would lead them to think they should not have appointed them if they had known all the facts before, then he thought it would be his duty to face the obloquy to which he was subjected—to face it in some degree; at least he thought he had given some offence, but he thought it would be his duty to look that in the face, and to discharge the Committee. And he would tell his right hon. Friend why he did not confer with any of the Members on the subject. There was no question as to whether this or that Gentleman was open to any influence: it was an objection applying to a certain line of country; there was nothing requiring any communication from them, and he had thought it better to discharge the Committee at once.

Lord JOHN RUSSELL rose, as a Member of the House, to state his opinion, though he took little or no part in those proceedings; but he thought it necessary, after the hon. Baronet's statement, to mention his impression on the subject. If the allegation was, that his right hon. Friend, or any other Member of the Committee, had some interest or other which disqualified them from serving, then it would be right for the Committee of Selection to have asked for his explanation, and to have heard him or any other Member before they came to the decision to admit them. But the hon. Baronet having stated that the objection was to the place that he represented—which was a fact no one could dispute, on which there could be no difference of opinion, because it was a matter of fact—he (Lord J. Russell) must say, that after the statement of the hon. Baronet, and feeling the utmost confidence generally in the hon. Baronet, he felt quite clear that the House could do no better than to leave to his judgment, and to that of the Committee of Selection, the future conduct of these matters. If, in a particular case, the hon. Baronet should think it right to leave out a Member, or not to do so, he (Lord J. Russell) thought he would exercise generally a sound judgment on the matter, and preserve the character of the House. With regard to any man who exercised those duties, he would say that he ought to be supported by the House in discharging that which must be an onerous duty—which was attended with no reward, but was often attended with much obloquy.

Mr. ELLICE said, the only question was this: whether the Committee, having been appointed after the fullest investigation, and named in the Votes, should be discharged?—that was the only question.

Viscount SANDON was understood to say, that so long as a Member of the House was not previously made acquainted with the group on which he was to serve, he had no opportunity of making any statement which might disqualify him from being appointed on that group.

Mr. AGLIONBY suggested that before a Committee was nominated by the Committee of Selection, some communication should be made to the Members whom the Committee of Selection intended to put on the list. He should submit that to avoid in future such discussions as this, a communication should be made to each Member, and an opportunity given to him of himself objecting to serve on the Committee.

Subject at an end.

WINDOW TAX.

Viscount DUNCAN begged to put a question to the noble Lord the First Commissioner of Woods and Forests, in connexion with the Bill which had been laid on the Table for the improvement of the health of towns. The question he had to put was this: if any alteration were contemplated in the present mode of assessing and collecting the window tax in the measure which was introduced? He had seen the noble Lord's opinion as a director of the Health of Towns Association, in which it was stated that the directors highly disapproved of the window tax; and he confidently hoped that an alteration in the mode of collecting the window tax would be shortly effected.

Viscount MORPETH quite agreed with his noble Friend that the subject of the window tax did enter into what was called the sanitary regulations; but his noble Friend must admit with him that there was connected with it a financial question besides; and with respect to the forthcoming Bill, he had received no intimation from the Chancellor of the Exchequer that he was at liberty to interfere with the window tax.

FRENCH INFLUENCE IN SPAIN.

Mr. BORTHWICK said: I rise to put a question, of which I have given him notice, to the noble Lord the Secretary of State for Foreign Affairs; and as it relates to a subject of which it is impossible to exaggerate the importance, I trust the noble Lord and the House will permit me to state my question as explicitly as I can, and at the same time to avoid, by a few explanatory words, all possible misconstruction of my motives in asking it. I refer, Sir, to some rumours which have been circulated in the French and Spanish newspapers, and which, before they assumed the shape of paragraphs there, had reached our ears by means less public, certainly, but more authentic. These rumours allege that an arrangement has been entered into between the French and Spanish Governments, in virtue of which there has been, or is to be, established a French Military Hospital, protected by a guard, in the Isla del Rey, or some other point in Port Mahon. It is added, that there is to be a French depôt for coals, on the pretext (a pretext the absurdity of which is obvious) that it is required for the supply of the French steamers running between France and her African settlements. When we look at the vast military and naval preparations— [*Cries of* " Order ! "] The hon. Gentlemen who do not understand the Orders of the House, will be pleased to be informed that I am perfectly in order, and that were I not so, the right hon. Gentleman in the Chair would at once interrupt me. I was observing that when we regard the extensive warlike preparations by which France, in a time of profound peace, is surrounding her shores and covering the sea—when we consider her policy, its objects and tendency for the last fifteen years—and when we see, by a recent correspondence, to the substance of which I do not wish to allude —the means by which French statesmen do not scruple to carry out that policy—it will not seem strange that a subject of the British Crown and a Member of this House should venture, as I do now, to ask the Secretary of State whether he has received any official information of the alleged facts to which I have alluded, with a view to let it be known that England and this House maintain an active and vigilant jealousy over steps which so manifestly tend to sacrifice national independence, if not European liberty, to French ambition. I repeat that I put this question in no hostile spirit. I have never concealed, and I do not wish to conceal, my frank opinions upon certain dynastic revolutions in France and in Spain; but these opinions I leave now out of the question; and I say that I believe it would be an act of friendship to the sagacious Prince who now occupies the French throne, were this House to signify to him that there are limits to the safe action of the most cunning diplomacy, as well as the most energetic war; and that it is possible that the negotiations of Madrid, if pushed too far, may become to the small Napoleon of peace not less fatal than the operations in Russia proved to the nobler Napoleon of war.

Viscount **PALMERSTON**: In reply to the question of the hon. Gentleman, I have to state that Her Majesty's Government have received no official communication tending to confirm the report to which that question refers. On the contrary, the general result of our information leads us to imagine that that report is unfounded.

LANDLORDS (IRELAND).

Lord **JOHN RUSSELL** moved the Order of the Day for the House to resolve itself into Committee on the Poor Relief (Ireland) Bill.

Mr. **CALLAGHAN** said, that before the House went into Committee, he wished to say a few words in defence of a friend of his. It would be in the recollection of the House that the hon. and learned Member for Bath stated that two Roman Catholic clergymen from the south of Ireland had waited upon him, and made certain statements as to the conduct of the landlords in that part of the country, and more particularly with respect to two gentlemen who lived not far from Mallow, and which the hon. Member repeated in a manner so as to make an undue impression on the House. On that occasion he had equal authority for asserting that the information given to the hon. Member was not correct. He had, therefore, stated to the House some few particulars which he knew to be correct. When the hon. Member for Marylebone (Sir B. Hall) also was about to mention the name of one of these gentlemen, he had urged him not, as he was sure, on inquiry, that that gentleman had not acted as had been represented. The hon. Member, however, persisted in making his statement. Since that, he (Mr. Callaghan) had received a letter from one of these gentlemen, who stated in it that he had been represented as having more than 10,000*l*, a year in the neighbourhood of Mallow, and that he had not subscribed anything to the relief of the poor, and that he also was possessed of a large property elsewhere. This was not the case, for the amount of this gentleman's property had been greatly exaggerated. It was also stated of this gentleman that he had kept a great number of dogs, namely, 70, in a place near Mallow, which were extremely well fed, while the people were starving; whereas he had never, at any period, kept more than twelve dogs. With respect to this gentleman having refused to subscribe to the relief fund, he stated that, last Session, when it was being raised, he was attending that House to oppose a Railway Bill which ran through his domain; but when he went back to Ireland, an application was made to him by one of these Roman Catholic clergymen alluded to by the hon. Baronet, to subscribe to this fund. He at once, on receiving this, sent it to his man of business, with directions to take steps for that purpose, but to look also to the relief of other places where he had property. Before, however, he got any reply from this person, a charge against him was made by this Roman Catholic clergyman that he had refused to subscribe, which was couched in very improper language; he had, therefore, declined subscribing to that fund. At the same time this gentleman largely employed the people of the neighbourhood on his property near Mallow; and in another part, where he had 160 acres of land, he had subscribed 10*l.* to the rev. Mr. Moore, the Roman Catholic clergyman of the district. To show that this gentleman was not a bad landlord, he could state that many of his tenants owed him five, seven, and ten years' rent. Beyond this, he extensively employed the poor in his neighbourhood, and paid last year not less than from 25*l.* to 30*l.* a week in wages to agricultural labourers. He thought that, for the character of the House, nothing should be stated in it by an hon. Member which could not be supported by facts, and not on such authority as had been quoted by the hon. Member for Marylebone, when he mentioned the name of Mr. Courtenay. The hon. Baronet ought, in common fairness, before he did so, to have made inquiry as to the truth of such charges.

Sir B. HALL had felt obliged to his hon. Friend for having given him notice of his intention to bring this subject forward on that evening. He could assure his hon. Friend and the House, that if he had made the statements in question on mere representation, and if he had not used his best endeavours to authenticate the facts of the case, he should undoubtedly have thought himself open to severe censure. After hearing the statement of his hon. Friend in reply, he must express his deep regret at any wrong that he had done to the gentleman whom he had named. He was sure that the House would allow him to explain the circumstances of the case as regarded himself. Some time ago, there was held at Fermoy a large meeting of Roman Catholic clergymen, on the subject of the New Poor Law Bill for Ireland; and the result was, that they determed to send two of their body to the noble Lord, to state what were the feelings of the Roman Catholic clergy with respect to that Bill, and above all as regarded out-door relief. He believed that the reverend gentlemen sent over to this country as the deputation were most respectable and excellent men, as they been selected for that purpose by a large body of the Roman Catholic clergy. They had done him the honour also of calling upon him, to make certain statements as to the situation of the people in the part of the country from whence they came, and as to the conduct of the landlords. These reverend gentlemen had assured him that they wished what they had stated to him should be made known to the House, and that thus it should go through the usual channels of information, so that the public might be made acquainted with the facts of the case. In order to prevent any misapprehension or misrepresentation on his part, he requested that any statements that he should make, might be given to him in such a form that he could not misunderstand them. He therefore had the alleged facts furnished to him in writing. He would state that he never had hesitated to attend to statements made to him by Protestant clergymen respecting the condition of the poor in their own localities, and should always be ready to attend to them. It had been his lot, in the course of his life, to know several Roman Catholic clergymen; and he thought that he should have been guilty of insult to that highly meritorious body of men if he hesitated to give the same credence to statements by them as by Protestant clergymen. He had not quoted conversations, but had merely cited those statements which had been given to him in writing by these reverend gentlemen. Having made that statement to the House on the authority of these reverend gentlemen, and having heard the statement of his hon. Friend on behalf of the gentleman alluded to, he trusted that the House would believe that he was not negligent as to the obtaining correct information. He had some documents in his possession respecting this subject; but after what had passed, he did not think that it would be right on his part to refer to them; he therefore should refrain from troubling the House further in the matter. His only desire was to set himself right with the House, and to show that he had what he was justified in considering good authority for the statement which he made; such authority being two respectable Catholic clergymen living in the neighbourhood of the place where the circumstances were alleged to have occurred. As regarded Mr. Courtenay, if the statement which he had made was in the slightest degree unfounded, no one could more regret it than himself. He would only add, that as far as he was concerned, he should let the matter rest between the reverend gentlemen and Mr. Courtenay.

MR. CALLAGHAN remarked, that he had forgotten to state that Mr. Courtenay distinctly stated that, for the last six months, he had only had a single dog in his possession.

MR. SHAW hoped the present case would be a lesson to the hon. Baronet (Sir B. Hall). He had always thought that the hon. Baronet had departed from his own better judgment and feeling in allowing himself to be made the instrument in that House of bringing forward charges against the resident gentry of Ireland upon insufficient information, and then holding up those individual cases as samples of an entire class. He had said in the House, on the moment of the first statement of Mr. Courtenay's case, that he did not believe it, and requested the House to suspend their judgment until an opportunity was given for explanation. The accusation made in the House was, that that gentleman had been pampering seventy dogs on good meal and milk in the neighbourhood of Mallow, while he had refused a farthing's subscription to relieve his fellow-creatures who were starving around him. Well, what was the answer? That, instead of seventy dogs, Mr. Courtenay had never had in the neighbourhood of Mallow more than twelve, and for the last six months not one: and, as regarded his refusal to subscribe to the relief of the poor, in consequence of an abusive letter respecting him, written by one of the rev. gentlemen in question, he had determined not to be bullied into giving his subscription through that rev. gentleman; but that so far from having contributed nothing to the relief of the suffering poor, he had given to the treasurer of the relief fund in that neighbourhood at one time, *5l.*, and to the rector of the parish *10l.* subsequently; besides which, he was all the time paying at his own residence from *25l.* to *30l.* weekly, in wages, for the support of the poor. He did trust that the House would take that case as a specimen of the manner in which charges were got up and paraded in that House against the landlords of Ireland.

MR. J. O'CONNELL regretted that the right hon. Gentleman had not followed the example of the hon. Baronet. The rev. gentleman, to whom allusion had been made, was a most deserving and respectable man. If any mistake could be found in the statement of the rev. gentleman, they should be pointed out, instead of bringing a charge against him of writing a false and scurrilous letter to the newspapers.

Mr. SHAW did not mean to bring any charge against the rev. gentleman. He had merely referred to what Mr. Courtenay, in his letter, had stated on the subject.

SIR H. W. BARRON denied that the attacks made on the Irish landlords, as a body, were well founded. Sweeping charges were made in consequence of the misconduct of a few individuals. Most of the landlords had exerted themselves in an admirable manner for the relief of the poor; and they had been most zealously and ably assisted in their endeavours by both the Protestant and Catholic clergy.

Subject at an end.

POOR RELIEF (IRELAND) BILL.

LORD JOHN RUSSELL: In rising, Sir, to move that you do leave the chair that the House may resolve itself into Committee on the Poor Relief Bill, I beg to express a hope that my hon. Friends who have given notices of Motions to be made previous to going into Committee, will not press them, and interfere to prevent you leaving the chair. In the next place, I wish, for the satisfaction of my own feelings, to allude to the noble and munificent subscription for the relief of the destitute poor in Ireland, which has been raised in the United States of America. I think that it is not unworthy of me, as a British subject, in this the House of Commons, to express my extreme gratification, that, mindful of a common origin with ourselves, the people of the United States have in such a charitable spirit exerted themselves to raise such large sums for the object I mentioned.

House went into Committee.

On Clause 1 (relief to destitute persons) being put,

Mr. POULETT SCROPE said, that he intended to move, as an Amendment, to leave the following words out of the clause —"as are permanently disabled from labour by reason of old age, infirmity, or bodily or mental defect, and destitute children." If the word permanently was continued on the clause, three-fourths of the infirm persons in Ireland would be excluded from relief.

Sir G. GREY did not agree with his hon. Friend as to the number of persons who would be affected in the manner which he had described. Perhaps the word "permanently" might not be absolutely necessary; but it still might be well to preserve it to make a distinction between the claim to permanent out-door relief, or to relief for a casualty. The nature of the medical charities which existed in Ireland should also be recollected; and he might add, that a measure for their extension was under the consideration of his hon. and learned Friend the Solicitor General for Ireland, which would be a much better course to adopt than the enlarging their claim.

Mr. P. SCROPE was satisfied, if equal out-door relief was not given to the destitute in Ireland as to the same class in this country, that it would produce an influx of the Irish destitute poor in England.

Sir H. W. BARRON remarked, that it appeared that the sympathy of the hon. Gentleman for the Irish poor arose from the circumstance that their condition might affect the English ratepayer. He hoped the Irish people would not be gulled by such a mark of sympathy for them.

Mr. SMITH O'BRIEN regretted that the right hon. Gentleman would not at once adopt the Amendment.

Sir J. GRAHAM thought that it would be better to proceed in the way proposed than to give a permanent right of relief to all the destitute out of the workhouses. The term "permanently" was found in the Poor Removal Bill of last year. He thought that in one or two respects this clause stopped short of the necessity of the case. The noble Lord (Lord Courtenay) below him had given notice of an Amendment, by which widows having children dependent on them, should be entitled to relief out of the workhouse. He thought that this ought to be adopted. The hon. Member for Limerick had alluded to the Medical Relief Act passed last year, and had suggested that that Act should be renewed and be made permanent. He (Sir James Graham) would recommend the noble Lord and the Government to adopt that suggestion.

Lord JOHN RUSSELL said, that the case suggested, of a man who had had his leg cut off, was one of those cases that would come under the category of permanent disability, and, therefore, under the provisions of the Act. As to the Act referred to by the right hon. Baronet the Member for Dorchester, that right hon. Gentleman would recollect that it was only a measure adopted for particular times. The Bill of last year was under consideration at present; and, if it were thought necessary, a clause of that Bill could be drafted from it and inserted in the present. As to the recommendation of the hon. Member for Stroud, who sat behind him, he felt very great objections to extending the measure as proposed. What he understood that hon. Gentleman to propose was, that a person suffering under temporary sickness should be entitled to receive temporary relief; and, in case the father of a family should suffer from temporary sickness, relief should be given to the family. He considered that kind of relief, which he admitted was given in England, was a source of very great abuse; and he was afraid that in Ireland it would be a source of still greater. It formed no part of the original purpose or intention of the law in England, nor was it part of its general administration originally. He objected to the mixing up of the power of giving relief to the destitute, with giving relief to labourers in the receipt of wages. It had sometimes happened that a weakly, sickly child, or one not in strong health, had been reckoned as a sick child; and, on that ground, relief had been given to the family of a labouring man in the actual receipt of wages. A case of the kind had come under his observation the other day, when, in the course of conversation with a member of a board of poor-law guardians, the gentleman told him that relief had been given to the family of a labouring man under cover of the illness of one of his children. He (Lord J. Russell) said to the gentleman, "And was the child really sick?" to which the reply was, "Oh, we made it sick for the purpose of giving the relief."

Mr. V. SMITH did not agree with the

right hon. Baronet the Member for Dorchester, in taking the definition of the Poor Relief Act, for although there was great difficulty found in interpreting that Act generally, he believed there was as much doubt as to the meaning of "permanent disability" as about any part of that Act. He recommended that the word "permanent" be left out altogether in the clause then under discussion. He entirely disagreed from the noble Lord who had just sat down, that the out-door relief to sick persons was the worst part of the English Poor Law; on the contrary, he thought it the best part. One of the hardest cases under that poor law was, that when a man was temporarily prevented from maintaining his family, they were forced into the workhouse, and compelled to sell all their goods before they were relieved. When the poor fellow recovered and came out, he had no home, and was completely ruined. With regard to the case stated by the noble Lord, it was a complete fraud; and if such cases were not met by the vigilance of boards of guardians, such boards were of no use whatever.

Mr. ROSS thought the noble Lord at the head of the Government had given a sufficient reason for retaining the word permanent, in stating that it would open the door to great abuses. If hon. Members had spent a few months in acting as members of boards of guardians in Ireland, they would have seen that already there were great abuses and trickery. To strike out the word would be productive of a great deal of mischief.

Sir W. CLAY took the same view of the question as the hon. Member for Northampton (Mr. V. Smith), with respect to the advantage of relieving temporary sickness out of doors, rather than compelling the hard-working, industrious poor to sell up and go into the workhouse; but, more than that, it was a most expensive and extravagant mode of relief for the ratepayers. Instead of a small weekly relief for a short period, the whole family were forced into the house and made paupers for ever.

Lord COURTENAY thought retaining the word "permanently" would compel boards of guardians to resort to such tricks as that described by the noble Lord.

Mr. SHARMAN CRAWFORD hoped the noble Lord would concede the point; and, also, that he would state his opinion as to the suggestion that widows should also have out-door relief.

Mr. MUNTZ said, that if the word were to be retained, it would be as well to decide what "permanent" meant. Any man who resided in a large town, and saw how the poor law was worked, or how it was attempted to be worked, must be aware of the great injustice done to the ratepayers by the workhouse test being applied by hard-hearted guardians, of whom there were too many, in cases where the heads of families were disabled by temporary sickness; and it was quite heart-rending to see the effects of this test on the industrious but struggling poor.

Mr. HENLEY said, the right hon. Member for Dorchester had attempted to carry the House along with him, by stating that the word "permanently" was already inserted in another Act. But the right hon. Baronet must have been aware that it had about as much relation to the present question as a horse chestnut to a chestnut horse. The Act the right hon. Baronet quoted, related only to the removal of paupers, not to their relief. If the reasoning of the noble Lord opposite (Lord J. Russell) was worth anything at all—namely, that because out-door relief would be liable to abuse, and therefore it ought not to be granted—it was a strong argument against having a poor law at all, because there might be cases of abuse.

Sir H. W. BARRON said, that if the word were not retained, it would lead to great fraud and abuse, in consequence of the difficulty of ascertaining the particulars of the cases where relief was applied for.

Mr. NEWDEGATE asked whether there were not strong reasons why the poor who were temporarily disabled should not be forced into the workhouse, which were now the abodes of disease and death? He read a letter from Mr. Townsend, a clergyman, describing the state of the workhouse of Skibbereen, which was now obliged to be closed, not by the interference of Government, but by the board of guardians. It was most dreadfully overcrowded, there being 1,449 persons in a place only constructed to hold 800. Half the inmates were diseased, their clothing was wretched, and there was a total absence of fuel and fires. He urged upon the noble Lord not to insert a word which would force those suffering from disease into these wretched places.

Sir G. GREY said, if the hon. Member had read the second clause of the Bill now before the House, he would have perceived that there was no necessity for apprehensions that persons labouring under infectious diseases would be forced into the workhouses. With regard to the workhouse of Skibbereen, he would state that the strongest remonstrances had been forwarded to the guardians, who were now attending to their duties, and of course an improvement would take place in its condition.

Mr. STAFFORD O'BRIEN admitted that some such practices as that described by the noble Lord at the head of the Government were practised in some unions in Northamptonshire, although they had not gone so far as his Lordship's friend. He thought the word had better be retained, as this was a permanent Bill, and not introduced merely with reference to present circumstances.

Mr. SMITH O'BRIEN thought many of the observations made by hon. Members would have been more applicable, if the present Bill was not for the purpose of establishing a permanent poor law in Ireland. The next clause, if passed, would provide for every case of famine and disease. [An Hon. Member: Yes, if the workhouses are full.] But they were now full, and 10,000 more were relieved than could be accommodated. They might assume that henceforward the workhouses would always be full. He thought, therefore, that the noble Lord ought to adhere to the clause as it stood.

Sir R. PEEL believed that the omission of the word would very materially alter the character of this clause. The object of the clause was to make a material extension of the relief under the Poor Law, and to give a right to that relief out of the workhouse to all who were permanently disabled; namely, to all persons who from some mental or bodily defect were permanently disabled. If they omitted the word, the clause would allow relief to "all destitute poor persons who are disabled." As he understood the hon. Member (Mr. P. Scrope), he proposed to make a provision for all who were disabled without regard to the permanence of their debility. Then let them take this case, that an able-bodied man was disabled from earning his living *bonâ fide* because he could not procure employment. Upon the principle of this clause, as proposed to be altered, he would be entitled to relief. The noble Lord had referred to the case of a man who had had his leg cut off, as a person who was permanently disabled; but suppose his leg were only broken, whereby he was disabled only for a short period, such as six months, from earning his living, that was not a permanent case, but it was one in which he thought the party ought to be entitled to some relief under this Bill; but he would rather provide for a special case of that kind than omit the word altogether. They ought to try such an experiment as this with great caution. In his opinion the consideration of the pecuniary relief of this country was much less important than the effect which such a measure as this would have upon those who had to earn their living by labour in Ireland. They must tell the Irish poor that they must rely on the exertions of their own industry for their means of support, rather than look to this country for the relief of their destitution. They would demoralise the people of Ireland if they taught them to depend upon parochial relief. To teach them to rely on parochial relief, would be, in effect to give them no relief whatever; and to familiarize them to that species of assistance would be not only a great injury to Ireland itself, but it would be felt also in England as a great calamity. It had very truly been said, that little dependence was to be placed on the permanent effect of voluntary subscriptions; and, upon the whole, he could not help coming to this conclusion, that a much more stringent measure than the present poor law would be necessary to meet the pressure of the existing emergency. He was perfectly ready to co-operate in trying any rational and promising experiment having that object in view, always bearing in mind that it should be an experiment, not so much intended to affect property, as to operate on the habits of the people. By the joint operation of the two clauses, relief would be given to all persons who were permanently affected; and he should certainly recommend the House not to omit the word "permanent." The principle of the Bill was, that the guardians should possess the power to give relief to the able-bodied poor out of the workhouse, when that building was full; and he thought that for the present such a measure was sufficiently extensive. He hoped, however, that in their desire to relieve property, they would not proceed too far, and that in any experiment which they might try they would advance with discretion and with caution.

Lord J. RUSSELL was not prepared to relinquish the word "permanently." Hon. Gentlemen might say if it were not to be acted upon, as it was intended in the Act, it would be subject to fraud and abuse; but he really feared this was not an answer, as there would be fraud and abuse also if the word were left out. The hon. Baronet the Member for Waterford had mentioned the case of the father of a family being disabled by sickness to such an extent as to be precluded from obtaining a livelihood for himself and family. He admitted that such a case might arise, and he thought that words might be inserted in the clause to meet that description of case. He was not prepared to leave out the word "permanently," but he was prepared to consider what words might be inserted to meet the views of hon. Members.

LORD G. BENTINCK: There is no man in this House more desirous than I am that every possible guard should be adopted to prevent abuses in the application of out-door relief in Ireland; but I must confess I should prefer to see the word "permanently" expunged. Under the provisions of the English Poor Law, powers are given to meet cases of this description. There are many cases of great hardship, as calamitous in their effects as those arising from accidents. There are cases in which a man may be attacked with a sudden illness, which may confine him to the house for one, two, three, and even a greater number of weeks; and I cannot see that such a serious illness is not be regarded in the light of as serious a calamity as a broken limb. I can see no difference in the probable consequences to a poor man between illness and a broken limb. In the 4th Clause of the English Poor Law, the overseers of the poor have a power to afford assistance to those who may be attacked with any sudden illness; and there is also in the 27th Clause of the same Act of Parliament, a power given to any two justices of the peace to order out-door relief in cases either of infirmity from old age, or in cases of infirmity from bodily ailment. I think cases of infirmity of body and cases of sudden illness ought to be included in this Bill; and I think the same security which the English Poor Law provides for the sick man in England, ought to be extended to the present measure. The hon. Baronet the Member for Waterford has observed that it is a very different matter to apply this law to Ireland in the same manner as it might be applied to England, and has adverted to the great size of the poor-law unions in Ireland. I entirely agree with him that the poor-law unions in Ireland are much too large. But as I do not think this is a fitting moment to enter into the merits of that question, I will not do so, but will content myself by expressing my opinion that, if the number of Irish workhouses were trebled, it would be a great improvement to the general poor relief system of the country. All I will now add is, that I shall vote to expunge the word.

MR. ESCOTT said, he had a very strong impression that the word ought to be expunged. The question for them to consider was, whether the retention of the word might not exclude a great many persons from relief who would be starving without it. He was perfectly convinced that if such a restriction had existed in England for the last six months, they would have had many cases of starvation here.

MR. J. YOUNG wished to know whether the noble Lord (Lord J. Russell) had provided for cases in which poor persons might only require nourishment and not medicine? In Ireland there were many persons who suffered from fever, respecting whom the relieving officer had reported that everything medicine could do for them had been done, and that all they afterwards wanted was nutritious food adapted to the circumstances of their bodily condition. Had the noble Lord considered how he could meet the cases of those persons?

MR. P. SCROPE wished also to know whether the noble Lord intended to include cases of sickness which were more numerous than accidents, and which would, for the major part, require out-door relief? The refusal of relief under such circumstances would be harsher in Ireland than in England. Take, for instance, the case of a small farmer occupying a few acres of land, or, perhaps only one acre: if, when attacked by illness, he were excluded from receiving out-door relief, what a position would he be in, when he applied to the guardians for relief! They would say, "No; we are not authorized to give you any. Parliament has not given us any provision to meet your case; your only course is to come into the workhouse." What would be the natural consequence? The poor man, unable to bear up against disease and want, would be compelled to seek an asylum in the workhouse with his entire family. His farm would be taken from him by the landlord—his furniture would be sold to pay the rent—he would have to quit his home, and the first thing the landlord, who was anxious to clear his estate, would do, would be to pull down his cottage; and thus the unfortunate man on his return to health would be thrown out of his usual mode of livelihood by being compelled to resort to a peculiar form of relief. The ultimate consequences would be, that he and his family would have no resource left but to swell the burden of pauperism and mendicancy. If the provisions of the Bill extended to sick poor, he should not press the Amendment of which he had given notice.

Sir R. PEEL was willing to give the hon. Member for Stroud (Mr. P. Scrope) credit for the best possible motives in the course he had adopted; but he had put a totally different construction upon the clause from that which the framers of the Bill intended. He conceived the guardians were not left any discretion as to giving relief to the permanently disabled. The only discretion which they had was, whether they should administer that relief in the House or out of it. If the workhouse was full, they were obliged to give out-door relief to the permanently disabled. The construction of the word " permanently" altered the entire character of the Bill.

Sir G. GREY believed, that the construction put upon the word "permanently" by the right hon. Baronet the Member for Tamworth was the correct one. He quite admitted there were exceptionable cases, which ought in some way or other to be provided for. His noble Friend near him (Lord J. Russell) had stated he was prepared to consider what words could be introduced into the clause, which would give relief to persons disabled, not permanently but by accident. He thought it might be possible to have some permanent provision, and with that view his right hon. Friend the Chief Secretary for Ireland, and the hon. Gentleman the Solicitor for Ireland, were considering whether the Fever Act of last Session might not be continued; but it would be injudicious to decide now upon the class to be relieved, or the terms upon which such relief should be administered.

Sir H. W. BARRON remarked, that the hon. Member for Stroud had forgotten, if indeed he ever knew, that there were in Ireland county hospitals, dispensaries, and other institutions of the kind. The hon. Gentleman had not once looked at them, and had argued as if there were no institutions for the reception of persons attacked with disease of a temporary nature. If the hon. Gentleman did not know the fact, he begged leave to inform him that no man who might unfortunately meet with an accident, or be attacked with fever, could remain unrelieved by the present law. The hon. Gentleman had been arguing on the poetical assumption that the moment a man went into the workhouse, his dwelling was pulled down, his furniture seized, and his farm taken from him. He begged to say this was not the case. No such summary proceeding could take place, for the law in that respect was the same in Ireland and in Scotland as it was in England. The poetical imagination of the hon. Gentleman had led him to over-colour the picture considerably.

Mr. WAKLEY did not approve of the Irish hospital or dispensary dietary as at all likely to furnish that nutritious food which sick persons always required. He saw no reason why the poor of Ireland should not be treated as the poor of England. Why should a man be treated by law better in another country than in his own? If he were an Irishman he should blush. Yes, he should blush, and his cheeks would crimson, to feel that he was treated better by the law in another country than by the law of his own. How did they deal with the Irish pauper in England? If an able-bodied Irish pauper applied for relief in England, it was awarded to him fairly and generously, for it was admitted in principle that he had a right to it. But if after receiving relief here for a certain length of time, he was removed to his native country, he was not entitled to relief — the law would give him nothing, and he was left to starve. He had supposed the word "permanently" had crept into the clause by accident, for it was so monstrous and unjust that he could not believe it had been inserted designedly. But if it had got in by design, he should be glad to know who the designer was, though he had no desire to claim acquaintance with him. He supposed it must have been suggested by some old gentleman whose acquaintance they all repudiated. It was said the object was to give relief to the disabled destitute; but if they were not disabled as well as destitute, were they not to have relief? Was it the intention to give the destitute disabled man relief? If it were, why was the word "permanently" retained? This pottering and tinkering with the poor law question excited great disgust in the public mind. The English people wanted to know why there were to be three poor laws under the same Crown. They were giving to the Irish poor at present a right to relief in another country, which they were not to have in their own, which, in his opinion, was a departure from the highest principles of justice and humanity, alike unworthy of and disgraceful to a British Legislature. They were bound, in justice to Ireland and Scotland, to give them a poor law, not less liberal in its operation than that which they gave to England. Deeming that the clause, if not amended as proposed, would arm the Irish guardians with power to inflict great injustice upon the Irish poor, he would give his most cordial and earnest support to the Amendment proposed by the hon. Gentleman the Member for Stroud.

LORD J. RUSSELL said, that if they agreed to the proposal of the hon. Member for Finsbury, to introduce the English Poor Law into Ireland and Scotland, the hon. Gentleman would not be satisfied, inasmuch as they would introduce those abuses which he had so often deprecated as existing in the English Poor Law.

SIR W. JAMES was not prepared to go the full length of the hon. Member for Finsbury (Mr. Wakley), but he hoped that the noble Lord at the head of the Government would say how far he intended the extensions to go. He hoped they would be extended as far as practicable.

MR. J. O'CONNELL said, it was his intention to support the Amendment of the hon. Member for Stroud. If they were compelled to make this doubtful experiment, they ought to make it fully and fairly.

MR. GROGAN was surprised to hear the hon. Member for Finsbury allude so pointedly to that which was a sore point, namely, the invidious distinctions which he alleged were made in the system of administering the English and Irish Poor Law.

LORD J. MANNERS wished to hear the proposal of the hon. Baronet the Member for Waterford more *in extenso*. He had heard the hon. Baronet say something respecting the head of a family, and, if he understood him right, he supposed the relief was only to be afforded to the head of a family, if disabled. If the relief were to be extended to a son or a brother, for instance, there would not be so strong a case made out against expunging the clause.

THE CHANCELLOR OF THE EXCHEQUER was surprised that the hon. Member for Stroud should proceed with his Amendment after what had fallen from his noble Friend. It would be exceedingly desirable to provide for the relief of those who might be disabled in a temporary manner; and as his noble Friend had declared his willingness to insert some words to meet that necessity, he hoped hon. Gentlemen would wait until the bringing up of the report, when they could see the words, and discuss their desirability. He hoped the Committee would adopt this course, rather than go a division.

MR. P. SCROPE trusted, in whatever alteration the noble Lord intended to make, he would extend relief to the sick poor. He hoped the recommendation given in the report of the Poor Law Commissioners in 1841, namely, to afford out-door relief to the able-bodied poor of England, would be adopted, and that that principle would be applied to Ireland.

MAJOR LAYARD said, he should vote against the Amendment if the House divided upon it. He hoped, however, that the hon. Member for Stroud would not press it to a division.

MR. WAKLEY, in explanation, denied that he had, as was stated by the noble Lord (Russell) opposite, expressed any desire to have the old poor law, with all its abuses, introduced into Ireland. What he said was, that the old law should be fairly carried into execution. He did not think that the noble Lord ever found him an advocate of abuses of any kind.

Amendment withdrawn.

VISCOUNT COURTENAY moved—

"That the following words be inserted after the word 'defect,' in line 16 of the first clause:—'And also of every such destitute poor person, being a widow, as shall have a legitimate child or legitimate children dependent upon her, and incapable of earning his, her, or their livelihood, and have no illegitimate child born after the commencement of her widowhood.'"

CAPTAIN JONES said, he was not averse to an effectual poor law for Ireland; but he feared that if the guardians were invested with a discretionary power to grant out-door relief, many of the recipients would be in a much better situation than the ratepayers. He did not think the present circumstances of Ireland would justify the giving such powers to the guardians.

MR. P. SCROPE thought the clause so ambiguously worded, that he wished to know distinctly from the noble Lord (Lord J. Russell) whether the Bill gave a right to relief, in some shape or other, to all classes of destitute poor?

Sir G. GREY said, there were two descriptions of poor provided for in the clause. There was an absolute right to relief given to the permanently disabled and destitute, in or out of the workhouse; but a discretionary power was given to the guardians to give them out-door relief in the event of there being no room for them in the workhouse.

Amendment withdrawn.

On the question that the Clause stand part of the Bill,

Mr. SHAW said, that as he had not objected to that clause, he was anxious shortly to draw the attention of the noble Lord (Lord J. Russell) and the Committee to the important provisions it contained. It would be some answer—and, in reference to out-door relief, he would, when they came to the next clause, give a fuller one—to the invidious and unfounded cry got up against the representatives of the Irish proprietors in that House, and who waited upon the noble Lord (Lord J. Russell) on the subject of that Bill, that they were adverse to an effectual poor law for Ireland—to the material and large additional burdens on their property, by that permanent poor law, supposing it were right to pass it at that time—or to any amount of charge that the Government might, upon their own responsibility, declare to be necessary, in order to meet the calamitous emergency which had arisen in Ireland. He would not delay the Committee then by discussing the question; but, still, he could not enter upon a consideration of the details of the measure in Committee, without once more renewing the protest he had so frequently and ineffectually made before, that, while he, and those with whom he acted, threw no impediment in the way of any temporary measure, and shrunk from no responsibility or charge which might be involved in any measures the Government pleased to adopt for the extraordinary exigency—that a period when an unprecedented famine raged in Ireland, and general excitement prevailed in that House, and that country, in consequence of the large pecuniary advances they had to make on that account, was not the one for a calm and deliberate consideration of a permanent poor law adapted to the ordinary wants and condition of Ireland. As, however, he was overruled on that point, he would endeavour not to obstruct the Bill, but to amend it, and to consider the clauses *seriatim* as dispassionately as it was possible; and his object then, with regard to the 1st Clause, was, to mark the importance of two provisions it contained, which were most material additions to the existing Irish Poor Law, namely, first, the right to relief in the workhouse to all the destitute poor; and, secondly, the right to relief, either in or out of the workhouse, to all the permanently disabled by reason of old age, infirmity, or bodily or mental defect; and that it should be in justice observed, that those two considerable additions to the present law in Ireland were allowed to be enacted without objection.

Mr. WAKLEY did not discover that the guardians were subject to any penalty in case of neglecting their duty; nor did he find any provision in the Bill to enable destitute persons to enforce their right to relief.

Sir G. GREY was understood to say, that if the guardians neglected their duty, their places would be filled up by paid officers.

Clause agreed to.

On Clause 2 being proposed,

Mr. SHAW thought it would be candid of him to state, before any Amendment was proposed to that 2nd Clause, the course he meant to take respecting it. He felt that no Amendment of which the clause was susceptible, could render the provision of out-door relief to the able-bodied labourer suitable or safe in the present condition of Ireland. He, therefore, intended, whether the clause was amended or not, to divide the House against it when the question was put, that that clause stand part of the Bill; but as he was well aware that he should be beaten on that division, and as the proper time for amending the clause was before that division could be taken, he should, of course, support such Amendments as he thought would in any degree mitigate, although, in his opinion, no Amendment could altogether avoid, the evil of the clause.

Mr. STAFFORD O'BRIEN proposed an Amendment by which, when out-door relief should become necessary for the able-bodied in a union, instead of the Commissioners having an irresponsible power of ordering the guardians to give such relief, the proposition should come in the first instance from the guardians themselves. The Commissioners might otherwise be influenced by underhand and unofficial representations, the guardians find themselves compelled to give out-door relief in cases in which it was not necessary, and a most dangerous and unconstitutional precedent be thus established.

Sir G. GREY objected very much to the principle which the hon. Gentleman wished to introduce, for it would shut out the Poor Law Commissioners from any means of information, except such as the board of guardians might choose to give; and after the experience they had had of the conduct of boards of guardians, he thought that would be rather a dangerous course to pursue. Suppose that the assistant commissioner was on the spot, and knew that the workhouse was full, or that an infectious disease was raging within, and communicated the fact to the Commissioners, they would be unable to exercise the discretion given them by that clause, if they agreed to the Amendment of the hon. Gentleman, because the board of guardians had abstained from communicating the information.

Mr. GROGAN supported the Amendment. Every one knew that it had frequently happened under the Labour-rate Act, that the first which the magistrates and ratepayers heard of the Act being called into operation, was the proclamation in the *Gazette* issued upon information given privately to the Government. The same abuse might exist, if the application was not to come from the guardians.

Mr. LABOUCHERE was sure the system could not work in Ireland, unless there was a cordial co-operation between the Commissioners and the guardians. There had been some cases in Ireland of which the House had heard, in which the guardians had not co-operated with the Poor Law Commissioners; and if the Amendments were adopted, guardians would only have to omit making an application to the Commissioners, and it would be impossible for the Commissioners, however great might be the exigency—suppose fever in a workhouse—to order out-door relief.

Mr. SIDNEY HERBERT opposed the Amendments as calculated to remove the responsibility which in such case ought to rest upon the Commissioners.

Mr. GEORGE A. HAMILTON was very sorry the Government would not agree to the Amendments proposed by his hon. Friend. He fully concurred with the right hon. Gentleman opposite, that a cordial co-operation between the Poor Law Commissioners and the boards of guardians was necessary, in order to carry out the system effectively in Ireland; but instead of promoting that co-operation, he feared the rejection of the Amendments would prevent it. Surely the guardians, to whom the administration of the system was committed, ought to be considered the proper judges when out-door relief was necessary. He could not admit that boards of guardians would not make application to the Commissioners when out-door relief to the able-bodied might become necessary. He believed there was no indisposition on the part of guardians generally in Ireland to administer relief liberally to the poor. He had a good deal of experience himself, and he could say he had scarcely ever known an instance in which there was a disposition to refuse relief to those who were entitled to it. On the contrary, he would say, the fault was rather the other way—the inclination was, rather to admit those who were not destitute, than to refuse admission to those who were. There might be some exceptions, but he thought the legislation most objectionable which was founded upon the supposition that men would not do their duty, and which was justified by the exception rather than the rule.

The CHANCELLOR of the EXCHEQUER said, there was no occasion for such an inquiry as that supposed by the hon. Gentleman who had spoken last. There was only one inquiry or matter of fact to be ascertained—namely, whether the workhouse was full, or whether fever prevailed in it. There could be no need for the board of guardians to ascertain that; it was a fact for the Commissioners to ascertain.

Amendment withdrawn.

Mr. P. SCROPE moved that words be inserted in the clause which would empower the boards of guardians to afford out-door relief to the able-bodied poor, even before the workhouses were full; that, in short, the Poor Law of Ireland should be assimilated, in that respect, to that which prevailed in England. He felt confident that a great portion of the mendicancy, vagrancy, and agrarian outrages in Ireland, were attributable to the present restricted character of the Irish Poor Law, which did not permit the boards of guardians or the Commissioners to afford out-door relief under any circumstances to the industrious and honest labourer whilst the poorhouse could accommodate him. The majority of the well-disposed portion of the able-bodied and unemployed labourers of Ireland refused to accept relief which compelled them to shut themselves within the walls of a workhouse, or he might truly call it by the name of a prison. Meetings had been recently held in Ireland on this subject, at which resolutions were adopted, in which those who attended them declared that the rights of property were secondary to the rights of existence—property being sacred only so long as it afforded the means of sustaining and preserving human life; and they called upon the Legislature so to frame the new enactment for the relief of the poor of Ireland, that every individual should have a right of maintenance out of the soil in which God had given him birth, unless he forfeited that right by sloth or misconduct. He (Mr. Scrope) did not think that any one could controvert such resolutions. They went on further in those resolutions to state that it was but just that labour should be provided for the able-bodied and destitute labourer; that any enactment which did not provide such relief would be but nugatory; and that the property of the country would still be subjected to the depredations of the poor. They asked the Legislature, then, to abolish the present penal mode of relief which was offered in Ireland to the industrious, but destitute, able-bodied labourer, who would prefer travelling about the country as a mendicant, to being obliged to be shut up within the walls of a prison. He contended that the relief which would be afforded to such parties under the Bill as it at present stood, would be an unfair, unfit, unjust, and improper mode of relieving the necessities of the industriously disposed poor of Ireland. He urged his Amendment on the ground of economy also, which it would introduce in providing for the wants of the poor of Ireland; it was quite clear that if the boards of guardians were permitted to afford employment in the workhouse to the able-bodied poor, they would earn a very large proportion of the cost of their maintenance. Such power as he sought by this Amendment to be extended to the board of guardians in Ireland, had been given for years to the guardians of the poor of England; and he begged to refer the House to the report which had been presented to them in 1841 by the Poor Law Commissioners, as to the very beneficial effects of such a system of relieving the able-bodied poor of this country. He would direct the attention of the House to what had been done in that respect by the guardians of the Chorlton union, which was in the borough of Manchester. The guardians of that union had employed their able-bodied poor in the reclamation of a bog which they had now converted into a very fertile farm, which yielded almost sufficient for the support of those who were employed on it. And as that scheme had been successful—and it was not the only successful instance in England of a similar kind—why should not the boards of guardians in Ireland be allowed to employ their able-bodied poor in the reclamation of bogs and other public works which would prove eminently useful to Ireland? But then it was said the workhouse was the best test, and that without that test they could not be safe from the tremendous influx of paupers which flowed in for relief from the guardians. Now, in answer to such arguments, he would maintain that the labour test was as good a test as the workhouse; and, indeed, a better test for the industrious and able-bodied poor. The idle man would prefer the workhouse to the labour test. He would be allowed to live in sloth in the workhouse, and that was all he wanted. If they applied to an able-bodied applicant for relief the labour test, they would see whether he was industrious or not. He had strong authority to support him in saying that the labour test would be better than that of the workhouse. He had letters from Ireland, including one from a Mr. O'Malley, and another from Mr. Shafto Adair, in which the writers strongly recommended the proposition which he had submitted to the House. They unanimously concurred in saying that it would be the most absurd thing in the world to refuse out-door relief in the shape of employment to the able-bodied poor. Ireland stood greatly in need of drainage, reclamation of waste lands, and the general cultivation of her soil; and in such ways the able-bodied poor could be most profitably employed under the superintendence of the boards of guardians. Mr. Shafto Adair was of opinion that unless the able-bodied poor were so employed, the mendicancy and agrarian crimes of Ireland would increase instead of diminish; and he (Mr. Scrope) concurred in the opinion of that gentleman on that point. In England, there were annually employed by the boards of guardians 80,000 able-bodied poor. Now, that number was very much larger than the whole of the poor of all classes that were annually relieved in Ireland. And yet in England, as they knew, it was much easier for a man to obtain employment—indeed there appeared to be work for every man who was willing to do it. He conceived that the proposition which he had brought forward would effect more good for Ireland than the whole provisions of the present Bill. He thought that not only were the industrious poor of Ireland entitled to such a provision as he suggested, but that the ratepayers, whose interests would be advanced by it, were also entitled to ask the Legislature to adopt it. He believed, that unless some such provision were granted, the demoralisation, vagrancy, and agrarian outrages of Ireland would increase. He did not believe that the Irish labourer was idle. He believed that the Irish labourer, if he had opportunities afforded him, would be as industrious in Ireland as he was in London, Glasgow, Liverpool, or New York; and that it was a calumny to say, that if opportunity was afforded to them, they would not exert themselves, and obtain a livelihood by honest industry. All that he asked for was, that they should be permitted that opportunity; that a penal mode of relief should not be applied to them.

Mr. LABOUCHERE admitted, that the question which the hon. Member for Stroud had brought under the consideration of the House was of extreme importance; but he must at the same time confess that he could not vote for his proposition. He thought, that nobody who had attentively watched the operations of the late Labour-rate Act in Ireland would be prepared to say with the hon. Member that it would be wise to apply the labour test as a means of meeting the destitution of that country. While the House admitted the principle upon which this clause rested, viz., that no able-bodied man in Ireland should be allowed to starve, but should have the means of relief, he trusted that they would at the same time take care not to sanction a provision which would give encouragement to improvidence. The Committee would recollect, that as the Bill stood at present, relief would be afforded to the able-bodied labourer out of the workhouse when the workhouse was full. But he confessed that he entertained no very high opinion as to the excellence of the system of out-door relief in Ireland. He was of opinion, that if the proposition of the hon. Member were adopted, the greater portion of the able-bodied labourers of Ireland would seek for relief under it. They had instances of that kind under the operation of the Act which sanctioned the employment of the poor on public works. Such a mode of employing the poor of Ireland had, he believed, a most demoralising effect on that class. He did not think that they would be consulting the interests of Ireland if they sanctioned a system such as that proposed, which would have the effect of withdrawing the industrious classes of Ireland from their ordinary occupations, and making them dependants upon the public bounty. It would destroy that self-supporting and independent spirit, by means of which to a great extent it was to be hoped that Ireland would be raised from her present enfeebled condition. This Bill was intended to be a permanent and not merely a temporary measure, whilst the proposal of the hon. Gentleman was suited only to some great emergency as that under which Ireland was at present labouring; and as he believed that such a measure, if introduced permanently into Ireland, would retard its progress towards that prosperity which it must be the sincere desire of all to see her attain, he felt bound to resist the Motion of his hon. Friend.

Mr. SMITH O'BRIEN did not think that the right hon. Gentleman had shown sufficient reasons why the Committee should reject the proposal of the hon. Member for Stroud. He regretted that his hon. Friend had not raised the question in a manner in which it might be properly discussed, otherwise he should feel pleasure in voting for the proposal.

Mr. DILLON BROWNE said, labourers in Ireland were unwilling to go into the workhouse, but they would willingly take work out of the workhouse; and, if that was allowed under the Bill, it would then be the interest of the landlords to provide labour on their own estates.

Mr. FERRAND wished to ask the right hon. Gentleman the Secretary for Ireland how he expected to carry out the workhouse test at the present time, when there was hardly a workhouse in Ireland that was free from fever of a most fearful kind? In the Cork workhouse 225 had died in one week.

Mr. LABOUCHERE said, the hon. Gentleman had not only not read the Bill, but was in ignorance of the clause they were discussing, for it provided that where fever existed in the workhouses, out-door relief should be administered.

Mr. FERRAND: Fever is prevalent in all the workhouses of Ireland.

Mr. LABOUCHERE: Then the same provision will apply in all.

Mr. M. J. O'CONNELL thought a great deal of unjust and indiscriminate censure had been cast upon the system of public works now in operation in Ireland. Those works had been exceedingly beneficial in many instances, and good roads had been made through hilly districts where none previously existed. He thought it was better to cease fighting those by-battles, and come at once to a discussion on the main principle of the Bill, if they were to have one.

MR. P. SCROPE withdrew his Amendment, seeing that the feeling of the House was against him. He was, however, still of the same opinion, and did not feel that he could say, *liberavi animam meam.*

On the question that the Clause stand part of the Bill,

MR. SHAW said, that was the proper opportunity, after the Committee had provided the right of in-door relief to all the destitute poor, and out-door relief to all the permanently disabled among the destitute poor in Ireland, that he should raise the objection, and take the opinion of the Committee, against the principle of providing out-door relief for the able-bodied labourer—a principle which, he was persuaded, would be destructive to the property of Ireland, and demoralising to the character of the labouring population. In answer to the speech of the hon. Member for Stroud (Mr. Poulett Scrope), he would say that his objection applied equally to a labour rate as to gratuitous relief; for he knew no means by which pauper labour could be employed without displacing independent labour. The system could add nothing to the capital applicable to the employment of labour; but it deranged the due relation of supply and demand—giving the sum to paupers, through the means of poor rates and boards of guardians, which would otherwise flow to the independent labourer in the more natural and wholesome channel between the employer and the employed. He had already experienced the indulgence of the House when, at considerable length, he had contended that all principle, all authority, the experience of three centuries in England, and, above all, the pregnant experience of the last twelve months in Ireland, were absolutely condemnatory of the principle of out-door relief to the able-bodied labourer. He would not again trespass on the House by going over the same ground. He would avoid all the extracts and the detailed statistics to which he had before referred, and only try shortly to answer the question which the noble Lord had commenced the debate by asking, and which nearly every Member who followed the noble Lord had repeated—"If you will not take my remedy, what do you propose yourself?" He thought the noble Lord was not quite correct in saying that no attempt had been made to answer that question. He felt all the difficulty of the present crisis in Ireland, and that he would be a bold man indeed who would confidently affirm that he had found its solution; but some remedy had been proposed by those who, with him (Mr. Shaw), waited upon the noble Lord; and even though that should not turn out to be perfectly effectual, he thought that they had at least shown that the remedy proposed by the noble Lord would, at all events, be not only ineffectual, but fraught with the most disastrous consequences; and it would be but very unsatisfactory reasoning of a physician, treating a case of great difficulty and danger, to say to those in consultation with him, "Now, if you will not at once prescribe a medicine which you will undertake shall cure the patient, then you cannot fairly object to my administering a dose of poison to him." In speaking of the deputation on behalf of the Irish proprietors to the noble Lord, there was one point on which the noble Lord, he (Mr. Shaw) found, had been misunderstood, and he might be permitted to explain. The noble Lord stated that one member of the deputation had alluded to private charity as a sufficient resource in Ireland, and it was supposed that he (Mr. Shaw) had made that observation; whereas the noble Lord had also referred to an answer which was made by another member of the deputation, which was made by him (Mr. Shaw), that it must be admitted that, as regarded the charity of the poor to the poor, which had so abounded in Ireland, the means of that must necessarily fail with the loss of the potato; but the fact was, that was not prominently relied upon by any member of the deputation. What they proposed, and what he still proposed, was, as the best remedy of all for the emergency, to pass a temporary Act, vesting in the Lord Lieutenant, or any authority the Government preferred, ample powers—say for five, or any given number of years—to raise means in Ireland, as far as the whole property of the country would go, to prevent the people from starving, till this calamity was past, and the transition period over, from small holders of land to labourers, which the loss of the potato must inevitably induce; and if they would not do that which would be best, but were coerced by clamour to enact at such a moment this permanent poor law for Ireland, then for the present be content with the important additional provisions it contained, of the right to in-door relief for all, and out-door relief for the permanently disabled, which latter provision would probably establish a poor-law pensioner in almost every cabin in Ireland, having also a power to increase indefinitely the workhouse accommodation. A member of the deputation, his hon. Friend and Colleague (Mr. Hamilton) assured the noble Lord, on behalf of those whom they represented, that there was a general recognition of the principle, that, as a permanent system, the property of Ireland should be chargeable for the support of the poor of Ireland; and to a declaration of that principle in the present Bill, he (Mr. Shaw) would not object. But what he objected to was, telling the people of Ireland, and, above all other times, telling them at the present, when more than 3,000,000 were subsisting on public charity—when a gigantic system of out-door relief was actually in operation—necessary, it might be, in a case of famine, to prevent deaths by starvation—telling them that when that relief under the Temporary Relief Act of that Session ended, that they were all to be by law entitled to out-door relief under the permanent poor law, was not only to destroy every motive to independence and self-reliance which the right hon. Baronet (Sir R. Peel) had that night stated were so important to implant and cherish in the Irish labourer; but it was also to delude them with a hope that by no human means could be realized. For, need he say, that if that number relied for out-door relief under the poor law, as he verily believed they would, as surely after the cessation of the temporary relief—if the present Bill became law—as they were then doing after relief under the Labour-rate Act had ceased, and which the Government admitted by their provision of eight millions of money to sustain them when that was superseded, must it not be evident to reason and common sense, that the whole poor law and property of Ireland must perish under such a deluge of pauperism? It was not only the western counties, where, as he and his Colleague (Mr. Hamilton) had shown, there would not be much more than 1*l.* a head for those now supported by the public, if the law sacrificed the whole rateable property of the district to them—in Mayo, that was 326,000*l.* with 300,000 paupers, and in the six counties of Clare, Galway, Mayo, Roscommon, Sligo, and Leitrim, 1,700,000*l.* for about 1,300,000 paupers; but if they imposed a national rate in Ireland, which, as regarded the north and east, would be as unjust as imposing it upon England—then what would be the proportion? The noble Lord (Lord J. Russell) the other night referred to a return moved for by the hon. Member for Lancashire, showing the annual value of property rated, and the rate per head of the expenditure on the total number of paupers relieved comparatively in England and Ireland; and the noble Lord spoke rather reproachfully of the charge in Ireland being only about 6*d.* in the pound, while in England it was 1*s.* 7*d.*; but let the noble Lord recollect they were but beginning in Ireland—that when that calculation was made, there were but about 47,000 persons in the workhouses, while at the present time there were upwards of 110,000, which would increase the charge to about 1*s.* The present Bill, giving the right to relief, and providing for all the permanently disabled, would at least double that, making 2*s.* in the pound, and then superadd out-door relief, which in England amounted to five-sixths of the whole sum expended under the poor laws; and that would bring the rate to about 10*s.* in the pound. Recollect then, that there were four labourers to be supported in Ireland for one in England, and you would have poor law and property crushed under your unwise and inconsiderate legislation. Bear in mind, moreover, that while the average wages of labour in England was 8*s.* a week, that the average was only 2*s.* in Ireland, and then tell him what possible standard could be devised, amongst an agricultural population living upon that low rate of wages, by which they could place a pauper receiving out-door relief, in a worse condition than that of an independent labourer; it was, therefore, rather from the circumstances and condition of the Irish labourer, than from any fault inherent in his character, that he would infer the impossibility of their resisting the demoralising effect of out-door relief. There was not a single argument the noble Lord used then in favour of out-door relief, which would not have been equally applicable to the Irish Poor Law in 1838, when the noble Lord and his Colleagues so strictly prohibited it from forming any part of their project; and the fact was, the real motive which urged them forward was the famine in Ireland, and the consequent clamour which had been raised against Ireland in England, without any due consideration of the real wants and permanent interests of that ill-fated portion of the United Kingdom. He was quite aware of the unpopularity in that House of the course that he was taking, and the small number that he could expect to divide with him. Nevertheless, if he went into the lobby alone, a paramount sense of duty would oblige him to divide the House against that clause of the Bill.

Mr. DILLON BROWNE thought the speech of the right hon. Gentleman the Recorder for Dublin was most illogical. The right hon. Gentleman's argument was, that because so many people were now employed throughout Ireland under the temporary relief fund, they must therefore be permanently employed; but this was no necessary consequence, and the provision for the present emergency was distinct from the ordinary system of relief. The House was now legislating for the future. The opinion prevailed in Ireland that out-door relief was the only mode in which relief would be agreeable to the people of that country. If the House did not adopt the proposition for giving out-door relief, they might as well pass no Bill at all.

Mr. YOUNG was not insensible of the disadvantage at which he was placed in attempting, at a period of great prevailing distress in Ireland, and excited sympathies in the House, to state objections to the Bill as proposed by the Government. He felt this disadvantage, and also he could not say that he entertained, to the full extent, the apprehensions which had been expressed by others. Still the clause under consideration was open to grave objection; it appeared little applicable to the state of matters in Ireland; and was certainly at variance with the principles which, for years past, had guided the course of English legislation. He was not prepared to dispute the proposition that Irish property should be taxed, and amply taxed, for the adequate relief of Irish destitution. Years ago, when such support was perilous and unpopular, he had given his vote and all the support in his power to the Irish Poor Law; and though that measure, for various causes, had not answered all the expectations of its more sanguine advocates, still, on the whole, it had worked well: it had proved a great stay and resource in times of need, and afforded relief to large numbers; while collateral facilities and advantages had arisen, and he hoped would continue to arise from it, which, but for this enactment, could have had no existence. He always felt a satisfaction in having voted for it; and he was now prepared to vote for a considerable extension of its provisions, provided such extension was made on definite and intelligible grounds—on grounds similar to those on which the English Poor Law Amendment Act was based. With these views, he had given a ready assent to the first clause of the present Bill, extending out-door relief to those permanently disabled by age and infirmity, and the right to relief within the walls of the workhouse to all. This was a great advance; and, looking to the vast numbers of very poor persons in Ireland, the pressure there would be to obtain out-door relief on easy terms, and the laxity which almost always and ever, with the most vigilant and active central superintendence, was certain to creep into the administration of a poor law, he felt assured, the numbers who would seek and obtain out-door relief under this clause would be very great. Many, whom no persuasion could induce to enter a poor-house, and who subsisted scantily upon their own exertions, or by dependence upon neighbours or relations, would share in this out-door relief. On a moderate calculation, the additional burden would at the least double the rates all over Ireland. Still he was not prepared to object to the proposed extension; perhaps it was unavoidable under the circumstances, and it would no doubt operate as a most material lightening to that immense class in Ireland, who were themselves just raised above the level of pauperism. He could not approach the second clause with the same feeling, or indeed without great misgiving. The clause, as it read in the Bill, seemed only to contemplate out-door relief to the able-bodied in the case of some appalling catastrophe, such as that which now overshadowed and desolated Ireland; or in that of pestilential disease, which would render the workhouse unfit for human habitation. Now, surely, in the ordinary course of affairs, and relying on Divine goodness, it might be hoped that such direful visitations would recur but rarely, and only at long intervals; and each emergency might safely be left to be dealt with as it arose. Some forethought and precaution on the part of the Executive could make as efficient safeguards against them as anything in the present Bill would prove. It was unnecessary to make provision in a permanent

Act of Parliament against rare and special occurrences; they should be dealt with by special and extraordinary exertion, as the occasion arose; and the placing such permanent provision on record in an Act of Parliament only tended to mislead and alarm, to raise unfounded expectations, and equally unfounded fears. But he was inclined to think the noble Lord took another view of the clause in the speech which he had delivered a few days ago—his whole argument had been directed to the expediency and advantage of out-door relief in Ireland. It might be inferred from the noble Lord's speech, that recourse would be frequently had to those provisions, and that out-door relief would become habitual, and in constant operation in some one or other part of Ireland. If this were really the view to be taken, nothing could be more alarming, nothing less suited to the condition of Ireland. It was the very system which had been tried and found wanting in England; and the limitation of the relief to food alone increased the danger. In times of distress, food alone was to be afforded to parties who could not pay for a habitation, who might be without clothing, and in an inclement season destitute of fuel. What test could you apply to such relief? How could you make men give all their day, even though it were spent idly and listlessly as on the public works, when you give them in return nothing but food, while they may stand in the meantime in the utmost need of other things equally necessary to the support of life? No test would exist, no safeguard could be applied. It was the old allowance system of England over again—relief in aid of wages. All the arguments of all the soundest authorities who had written or spoken on such subjects were opposed to this system. The gist of what the Poor Law Commissioners themselves had recommended in 1839, in their report of the further amendment of the Poor Law, condemned it. Those gentlemen, after stating the fundamental principle with respect to the legal relief of the poor to be, "that the condition of the pauper ought to be, on the whole, less eligible than that of the independent labourer," proceeded to say—

> "The truth of this position has either been generally admitted, or at least has not been disputed; but the difficulty has consisted in applying it to practice. All distribution of relief in money or goods, to be spent or consumed by the pauper in his own house, is inconsistent with the principle in question. The administrators of public relief have in general no means of finding profitable employment for labourers in agriculture or other occupation in the open air. It is impossible to apply the principle to those who receive out-door or domiciliary relief; for their condition cannot be always ascertained or regulated, inasmuch as it is often impossible to discover what resources they have, or what aid they may receive in addition to the maintenance afforded to them from the poor rates. In order to carry the above-mentioned principle into effect, it is necessary that the pauper should be relieved, not by giving him money or goods to be spent or consumed at his own house, but by receiving him into a public establishment."

So say the Poor Law Commissioners. No efficient rules can be framed to check or control out-door relief. But what says the noble Lord? Here are his words:—

> "There is nothing in the Bill which makes it at all necessary that this out-door relief, given to the able-bodied poor, would be gratuitous relief. I should hold that the boards of guardians and Poor Law Commissioners in Ireland will have the same power of making regulations for the employment of such persons out of the workhouse, in the same way as the Poor Law Commissioners and boards of guardians have that power in England."

That is to say, according to the noble Lord, in Ireland you may make rules similar to those made in England. No doubt we may—rules equally inoperative, unsuccessful, and demoralising. We can fail, and must fail, as every similar attempt in England had failed. He would add a short extract from Mr. Revans' pamphlet; that gentleman had acted as secretary to Commissioners of poor inquiry both in England and Ireland, and was well acquainted with the working and abuses of the old English Poor Law, and with the condition and requirements of Ireland. After showing, by a long array of instances and argument, how hopeless was the attempt to employ pauper labour profitably or usefully, and how certain such an attempt was to spread wider the circle of pauperism, and increase the evils it sought to cure, he adverted to the evil tendencies resulting from employment of a nature meant to disgust paupers, and deter them from seeking relief from the public rates—such as the gravel pit, wheeling barrows of sand from one point to another, and so forth. Mr. Revans remarked—

> "The moral effect of these employments was of the worst description; those who were employed could not perceive that the toil they were made to endure served any good, and, consequently, it became vexatious, and malice was attributed as the motive of those who enforced it. The result of such employment has usually been the complete demoralisation of those who were employed, and the generation of bad feelings towards the working classes in those who had to superintend them, and also in those who witnessed their conduct."

These were the results in England of the system which the noble Lord now recommends for adoption in Ireland. The germ, at least, of all the evils from which England had suffered, was contained in the Government proposal; that system, tried under the most favourable circumstances, in the richest and most energetic country in the world, had gone well nigh to swamp its landed property, and to convert its freeborn labourers—as Lord Spencer declared—into pauperized slaves. Much, he feared, there were too sufficient grounds for the alarm expressed. It would not be easy to depict to the House the extent of the alarm which this proposal had raised amongst the landowners and tenants by lease in Ireland. He had but a few days since returned from the county which he had the honour to represent—it was amongst the most unhappily circumstanced in Ireland—densely peopled—there had been a necessity to employ for some time past on public works more than 25,000 persons—residents of property were few and far between—the district was hilly—the soil of inferior description—the towns small and few, and there existed no manufactures; yet, in that county, the poor rates far exceeded the average stated by the noble Lord, and dwelt upon by several other Members with something like supercilious triumph. In the three unions, which nearly covered the county, the rates, instead of being only 5¾*d.* in the pound, amounted in the Cavan union to 7½*d.*—in the Cootehill union, to 9½*d.*—in the Bailieborough union to 10½*d.* for the last four years and upwards. If to this amount were added the probable or rather inevitable increase under the first clause of the present Bill, they would have an amount of rate exceeding the average of England; and this, let it be recollected, on a valuation which approached much nearer to the real value of property rated, than did any public valuation in England. Then look to the population—the noble Lord had quoted a passage often referred to in the House from the report of the Commissioners of Poor Inquiry. It gave the number of agricultural labourers in England and Ireland respectively, and the number of cultivated acres; it appeared there was one agricultural labourer to every thirty-three cultivated acres in England; but where a superior description of farming was pursued, more labour was used. In the highest farmed district, where the most improved machines were employed, and every resource of skill and ingenuity called into action, one labourer, he believed, was required for every twenty acres; but in Cavan, in the whole county, the agricultural labourers stood in the proportion of one to every nine statute acres, and in some baronies of one to every seven; that is to say, in the whole county there were more than twice, and in some parts of it more than three times the number of agricultural labourers than could be permanently employed with profit in the highest description of farming. But the noble Lord had referred to Sir R. Kane's opinion, and instanced the county of Armagh as a district where a high degree of comfort was consistent with very small farms and a dense population. Had the noble Lord been better acquainted with the locality, he would scarcely have instanced it in point as a purely agricultural district. Undoubtedly the inhabitants of Armagh were remarkable for their intelligence and their industry, which was much above the average of Ireland; but the county was fortunately circumstanced in many respects. The valleys equalled in fertility the most fertile parts of Ireland—the hill sides were covered with orchards—fruit trees which did not flourish elsewhere, there attained luxuriance; but above all, there was in the county an immense water power, which had been most skilfully economised, and most industriously employed—so that two-thirds of the population owed their prosperity rather to the presence of manufactures than to agriculture. He was the last person in the House disposed to question the conclusions arrived at in Sir R. Kane's admirable book; he thought them founded soundly and wisely; and the chief hope for Ireland lay in their being diligently studied, and effectively worked out. He looked forward with hope. Ireland had great and yet untouched resources; he had confidence in the energy and good will of the resident gentry; and relied on the intelligence, the honest purpose, and the willingness of the peasantry to labour under due encouragement. Still, many points must be attained—many difficulties surmounted—before the Irish peasant could acquire the skill and the habits which had placed the peasantry of other lands in comfort—in affluence, when compared with the rags and misery of Ireland. Before the small holding of the Irish peasant should be cultivated with the judicious rotation of crops, the economy of manure, and the watchful perseverance which enriched a Belgian farm—before there should have been invested in the soil of Ireland an amount of capital equal to that which the untiring industry of centuries has invested in the hill cultivation of Tuscany—years upon years, perhaps generations, must pass away; and it seemed an evil augury for the future, and the noble Lord was doing but little to forward them to the end in view, when he invited Ireland to adopt a system, which, if all the arguments on which the Poor Law Amendment Act was based were not valueless and void—if the accumulated experience of England was not to be set aside as a thing of nought—must, while it threatens the property of the country, inevitably weaken the self-reliance and independent exertion of the labourer.

Lord J. RUSSELL: The right hon. Gentleman (Mr. Shaw) who moved the omission of the clause, has taken for granted that the present position of Ireland is to be the regular state of that country; and, arguing upon this supposition, he has asked how this clause and this Bill can prevent the continuance of the existing distress? Why, I admit at once, what I have frequently admitted in the course of this Session, that I do not think that either a permanent poor law, or any other permanent law, would provide for a state of things so calamitous as that which at present exists. When, however, the right hon. Gentleman asserts that there are 300,000 persons now receiving relief from the public works in the county of Mayo, and when he declares that it would be impossible for the property of that county to support so many by out-door relief, I must say, that I cannot accept that as a correct description of the usual state of Ireland; and I cannot admit that this Bill, and the particular clause which we are now considering, are to be tried by that test. And, indeed, if we were to try it by that test, how completely would the substitute which the right hon. Gentleman has mentioned fail, and fail to a greater degree than the clause before the House! The right hon. Gentleman has stated that I did not correctly represent the views of the deputation which I saw upon this subject. I am sorry I did not correctly represent them; I did not represent them as fully as I might have done, but I certainly did wish to convey clearly what seemed to me to be of importance in the observations made by the gentlemen who composed that deputation. The right hon. Gentleman says that one of their declarations in substance was, that they were fully prepared to grant that the property of Ireland should be burdened to any extent for the purpose of in-door relief. Now, let us apply this admission to the state of out-door relief which exists at the present moment, as the right hon. Gentleman takes the present condition of the country as the usual state in which it is found. Let us try his willingness to grant any amount of in-door relief with the present state of things. Let us try it with his own statement, that there are 700,000 heads of families, as we must suppose them to be, who are at the present moment receiving out-door relief in the county of Mayo. Well, these 700,000 heads of families must be viewed as representing 3,000,000 of individuals; and how, I will ask, could workhouses be found sufficiently large and numerous enough to hold that multitude of persons? And yet if we take the right hon. Gentleman's argument, and apply it to the Bill and to the question before the House, we must take his willingness to grant any amount of in-door relief as a substitute for the measure proposed in the Bill. I do not remember that anything of very great importance was proposed by the deputation as a substitute for the proposal in the Bill, with the exception of the system of in-door relief—a system, be it remembered, which is provided for in the existing Act; for it is there enacted, that when more workhouse room is needed, that it shall be in the power of the guardians to raise money to build new workhouses or add to the old. The existing Act, however, does not provide for a state of things resembling, in any degree, the present calamitous condition of Ireland. The hon. Gentleman who last sat down proceeded on the fallacy that we are wishing to establish what we have hitherto opposed—that we are anxious to establish that out-door relief should be the permanent mode of relief, and that in-door relief should be the exception, in Ireland. I think the hon. Gentleman in that respect has misunderstood the Bill now before the House, and the observations I made before the Speaker left the chair. I never argued that it was desirable that out-door relief and out-door labour should be given as a general rule in the unions of Ireland. I am not of opinion that that mode of relief is a desirable system. I quite admit that no labour given in English parishes has proved, or can prove, a sufficient test of destitution; and I entirely subscribe to the statement contained in the report of the Poor Law Commissioners of England, when they say that this system of labour had generally failed as a system, and that the best way is to give relief in some public institution. Under the present Bill, when the workhouses are full, or when fever prevails in them to an extent which would render it unadvisable to increase the number of the inmates, and numbers of able-bodied persons apply for relief, what is the course to be pursued? The guardians may, if they think fit, add to the workhouse accommodation; and this extension of accommodation is not only provided for in the existing law, but, on the contrary, it is implied; but no one could have conceived or supposed that anything like the present state of calamity would require to be provided for, and that a period of distress of more than usual severity should occur, when numerous applications should be made for relief by able-bodied men. That is the case upon which I spoke in a former address. That is the case on which I wish the House to fix its attention, and to pronounce upon the mode of relief which ought to be adopted. It is in that respect that I think the law of England is sufficient, and I ask you to make the law of Ireland for the same purpose. Take the case which occurred shortly after the English law came into operation, when great distress prevailed in Nottingham; the workhouses became full, and crowds of able-bodied men pressed for relief. And what was the course adopted? It was to give these able-bodied men some task of labour to show that they were destitute; and they were afforded relief in food to prevent them from starving. I ask the House to consent to the same arrangement as regards Ireland, when the workhouses are full, so as to prevent the guardians from saying to the able-bodied applicants for relief, "The workhouses are full, we cannot receive you; we know that you have no alternative but to die of starvation, but the law prevents us from affording you relief." It is to meet that case that I propose the arrangement provided for in the Bill. I am much afraid that in the year before us, although I trust that nothing like the suddenness or extent of the present calamity will again be experienced, still you may have serious distress in Ireland to contend with. The hon. Gentleman (Mr. Young) has said, and said truly, that there are in Ireland a greater number of labourers compared with the number of acres, than there are in the best cultivated parts of England. Well, but these persons must, in some way or other, be provided for. This state of things has grown up, owing, I think, to the unfortunate confidence placed by the poorest classes, as well as by the richest, on the permanence of the potato as an article of food. We cannot expect that the potato ever again will supply permanent food to the classes hitherto dependent upon it. The crops that must take its place, will not at first—perhaps not for some time—supply the quantity of food which the potato did; but then I should say that, in order that the destitute should be sustained, and that the land should be cultivated in future, you have no resource so good, no resource so much approved by experience, as charging the property of Ireland with the expense of maintaining the destitute; and that, with respect to the ordinary state of the country, or the punishment and suppression of vagracy and mendicancy, and the putting down of those habits which disgrace and demoralise a people, nothing can be more effectual than the practical application of the principle I have mentioned. I believe, likewise, that no policy can be so good in the way of inducing the landowners and farmers to cultivate the land to the best advantage; for it is evident, that it is the interest of all who hold or who occupy land, that, instead of having the population employed in useless works, to be paid for out of the rates, it will be better to employ labour in the cultivation of the soil. We must expect, if Ireland is to flourish, that a much greater extent of land shall be cultivated. We cannot look for the prosperity of that country, if a greater space be not employed in the production of food. We cannot expect that the population of that country shall be comfortable or happy, unless this be the case. It is not to be supposed that the vast transition which is to take place, will not be one of great difficulty, and accompanied with great distress. But it behoves not the Government only, but all who have any interest in Ireland, to consider all the means by which the change may be best brought about; and I believe there are no means so likely as those suggested by Sir Robert Kane in his excellent work. The hon. Gentleman (Mr. Young) says that the Irish peasant is unskilful, and is not likely to be otherwise for a long time. I believe in that respect, as in many others, that the facilities hitherto possessed of procuring with very little labour the means of living an idle and sluggish life—the very great facilities which existed of procuring a little food, the neglect of all other considerations, the resting content with the most wretched clothing and shelter—I believe that these circumstances are the great cause of the want of skill on the part of the Irish peasant. I regard the present unfortunate state of things as a cause why the landlords and farmers of Ireland should be induced to devote all their energies to the cultivation of the soil, and that the result will be a great improvement in the habits of the labouring population in future years. I believe that there is no labourer more capable of converting his labour to greater advantage than the Irish labourer. In the course of the discussion which originated with the noble Lord opposite (Lord G. Bentinck), I had occasion to converse with many persons who were well able to form an opinion on that point; and they stated, that, although for the first fortnight the Irish labourer cannot use his tools skilfully, although he has a good deal to learn, yet it is astonishing how rapidly his instruction goes on; and that when a month or six weeks have elapsed, many of these labourers are as capable as any other description of labourers. It is well known that many labourers leave this country to take employment on the railroads in France, and that the English labourer receives more wages than the French, his work being more valuable; but it has been found that the Irish labourer has attained an equally high position as the Englishman, has received as high wages, because he could do the same day's work, and was equally skilful and industrious. If that is the case, if such is the disposition and power of the Irish labourer, why should that power and industry not be turned to the cultivation of the land? What is to prevent the Irish labourer from becoming as skilful a ploughman, or as well versed in the rotation of crops, as the same class in England or Scotland? I believe that this will be the result of the present measure—that it will be the cause of new exertion among Irish landlords, farmers, and labourers. I believe, however, that in this respect there will be a great difference in different parts of Ireland. There are some parts as to which I own I look with considerable alarm; but there are other parts where every disposition has been exhibited to make exertions commensurate with the greatness of the emergency. In some parts the people seem to be struck down by the greatness of their misfortunes, and have sunk into listlessness and despair; in other parts, the greatest exertions are making, a greater breadth of land has been sown than before, and the people are making up their minds to enter upon the new state of things before them. If we look to the history of the English Poor Law, we shall find in the first instance, that persons were sent to work by way of punishment, and marks of disgrace were imposed upon them; but latterly, after the abuses of the old system were corrected, recourse was had to the system which prevailed in the time of George I., of using the workhouse as a test—of requiring that those who came and asked for subsistence should be obliged, when there was room in the workhouse, to go into it, and thereby prove that they required food and shelter. If the test was submitted to, food and shelter were given, but not under circumstances which render these advantages more acceptable or agreeable than the able-bodied labourer could secure to himself by his own labour and industry. Such is the system which, I believe, has been one of the great sources of England's prosperity as a nation; and my firm belief is, that it was the giving of sustenance to the able-bodied labourer, and thus acquiring the power of suppressing vagrancy and mendicancy, and of reducing the whole of society to order, which was one of the reasons why the pursuits of trade, industry, and commerce have been so successful in this country. I feel all the difficulty of introducing this Bill at the present time; but I believe at the same time that it is necessary to carry it; I am convinced that it will be one of the very best securities for the future prosperity of Ireland; and I must say, that nothing I have heard this night has altered my opinion.

MR. LEFROY spoke amidst much interruption. He defended the deputation which had waited upon the noble Lord, and of which he was one, from the remarks which had been made upon them by the noble Lord, especially as to their saying so little. As the noble Lord who was at the head of the deputation explained their views, he (Mr. Lefroy) and other members, felt it unnecessary to obtrude any observation upon the noble Lord (Lord J. Russell), who propounded propositions which completely astonished the whole deputation. [The hon. Member, amidst interruption, read the opinion of Dr. Doyle upon the subject of out-door relief, as well as passages from the report of the Poor Law Commissioners.] He contended that the proposition of the noble Lord would double the number of persons at present in a state of destitution; and he urged the Government, before this measure was forced upon Ireland, to give the proprietors of land a more complete control over their property.

Mr. ROSS also endeavoured to speak amidst interruptions, and was understood to say, that he would reluctantly give his support to the Government on this occasion; for he could not blind his eyes to the fact that this was a perilous experiment for the country. He had seen a gentleman lately, well informed on these subjects, who stated, that from the failure of the potato, and the change which must be made to another species of food, he doubted whether less than a farm of ten acres would suffice to support a family. If this were true, what was to be done with the 350,000 persons who had hitherto subsisted on farms of less than five acres? He should, though, as he said, reluctantly, give his vote in favour of the Government, and against the Motion of the right hon. Recorder.

Sir H. W. BARRON did not wish to obtrude upon the attention of hon. Members when he saw them so impatient; but he would beg hon. Gentlemen to recollect that this was a question which involved their property and almost their existence. This clause involved a principle in Ireland that was of the most alarming description. It was a case of life or death to many of them—to all of them he might say. The tenantry of Ireland would have to pay a considerable portion of this tax; and therefore it was a question which affected, not alone the landlords, but also four or five hundred thousand tenants in Ireland. He, however, confessed his unwillingness to do so ungracious a thing as to vote against the measure; but, to show how well founded were his apprehensions, he begged to refer to a return which he held in his hand. It appeared from that return, that the property in England rated for the poor rate amounted to upwards of 62,000,000*l.* yearly. The poor rates paid out of that amount to 5,000,000*l.* sterling; and with that sum about 1,500,000 paupers were supported. Now, they should have in Ireland, on the very lowest calculation, 2,300,000 of a similar class; and if in England it cost 5,000,000*l.* for the support of 1,500,000, what must be the calculation for supporting 2,300,000 paupers in Ireland, even in the reduced manner they were supported in that country? He calculated the cost to be 2*l.* 7*s.* 6*d.* per head; so that a rental of 13,000,000*l.* yearly in Ireland would be saddled with a payment of at least 5,000,000*l.* a year.

Mr. SHAW said: In the impatient state of the House, I will ask but two minutes to explain my argument, to which the noble Lord (Lord J. Russell) has referred. For shortness, I will at once adopt his test—the 300,000 men employed on public works in Mayo. The noble Lord asks, how could my plan provide for these by in-door relief? My answer is — and it was the gist of my whole argument — if you tell them they shall have out-door relief, they will inevitably depend upon it; but if you promise them only in-door relief, they will exhaust every independent means of support before they resort to it. My proof is, the experience of the last nine years of their unwillingness to enter the workhouses; and that, within the last nine months, thousands—nay, millions, have flocked to the public works for out-door relief. Further, I said, if in-door relief is inadequate to the emergency, take what temporary measure it may require; and now, I conclude, as I began, by protesting against a Bill passed, despite of all principle and all authority, amidst the cry of famine and death from Ireland; clamour out of doors in England; and excitement, impatience and noise, in this House.

The Committee divided, on the Question, that the Clause as amended stand part of the Bill:—Ayes 242; Noes 36: Majority 206.

List of the Ayes.

Acheson, Visct.
Acland, T. D.
A'Court, Capt.
Aglionby, H. A.
Aldam, W.
Allix, J. P.
Anson, hon. Col.
Antrobus, E.
Archbold, R.
Arkwright, G.
Arundel and Surrey, Earl of
Austen, Col.
Bailey, J.
Baine, W.
Balfour, J. M.
Bannerman, A.
Barclay, D.
Barkly, H.
Baring, rt. hon. F. T.
Barnard, E. G.
Barron, Sir H. W.
Baskerville, T. B. M.
Bell, M.
Bellew, R. M.
Bennet, P.
Bentinck, Lord G.
Bentinck, Lord H.
Beresford, Maj.
Berkeley, hon. C.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Bernal, R.
Blackstone, W. S.
Blake, M. J.
Bodkin, J. J.
Botfield, B.
Bouverie, hon. E. P.
Bowring, Dr.
Broadwood, H.
Brotherton, J.
Brown, W.
Browne, R. D.
Browne, hon. W.
Buck, L. W.
Bulkeley, Sir R. B. W.

Buller, C.
Buller, E.
Busfeild, W.
Byng, rt. hon. G. S.
Callaghan, D.
Cardwell, E.
Carew, hon. R. S.
Carew, W. H. P.
Cavendish, hon. C. C.
Cayley, E. S.
Chandos, Marq. of
Chelsea, Visct.
Cholmeley, Sir M.
Christopher, R. A.
Churchill, Lord A. S.
Clay, Sir W.
Clayton, R. R.
Clerk, rt. hon. Sir G.
Clive, hon. R. H.
Collett, W. R.
Colville, C. R.
Courtenay, Lord
Cowper, hon. W. F.
Craig, W. G.
Crawford, W. S.
Cripps, W.
Dalmeny, Lord
Dawson, hon. T. V.
Denison, J. E.
Dennistoun, J.
Dickinson, F. H.
Disraeli, B.
Dodd, G.
Douglas, Sir H.
Douglas, Sir C. E.
Duncan, Visct.
Duncan, G.
Dundas, Adm.
Dundas, F.
Dundas, Sir D.
Egerton, W. T.
Ellice, rt. hon. E.
Ellice, E.
Ellis, W.
Emlyn, Visct.
Escott, B.
Evans, W.
Ewart, W.
Fielden, J.
Ferguson, Col.
Ferguson, Sir R. A.
Ferrand, W. B.
Finch, G.
Fitzgerald, R. A.
Fitzmaurice, hon. W.
Fitzroy, hon. H.
Fitzroy, Lord C.
Forster, M.
Fox, C. R.
Fuller, A. E.
Gaskell, J. M.
Glynne, Sir S. R.
Gore, hon. R.
Goring, C.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Granby, Marq. of
Grey, rt. hon. Sir G.
Grosvenor, Lord R.
Grosvenor, Earl
Guest, Sir J.
Hall, Sir B.
Hall, Col.
Hamilton, W. J.
Harris, hon. Capt.
Hastie, A.
Hatton, Capt. V.
Hawes, B.
Heathcoat, J.
Heneage, G. H.
Heneage, E.
Henley, J. W.
Herbert, rt. hon. S.
Hildyard, T. B. T.
Hindley, C.
Hobhouse, rt. hn. Sir J.
Hodgson, F.
Hodgson, R.
Hope, G. W.
Hoskins, K.
Howard, hn. C. W. G.
Howard, hn. E. G. G.
Howard, P. H.
Hudson, G.
Hutt, W.
Inglis, Sir R. H.
James, Sir W. C.
Jermyn, Earl
Jervis, Sir J.
Johnson, Gen.
Johnstone, Sir J.
Jolliffe, Sir W. G. H.
Jones, Capt.
Kemble, H.
Labouchere, rt. hn. H.
Lambton, H.
Lascelles, hon. W. S.
Lawless, hon. C.
Layard, Maj.
Legh, G. C.
Le Marchant, Sir D.
Lemon, Sir C.
Lennox, Lord G. H. G.
Lincoln, Earl of
Lindsay, Col.
Lygon, hon Gen.
Macaulay, rt. hn. T. B.
M'Carthy, A.
M'Donnell, J. M.
M'Taggart, Sir J.
Mangles, R. D.
Manners, Lord J.
March, Earl of
Marshall, W.
Martin, J.
Maule, rt. hon. F.
Mitchell, T. A.
Monahan, J. H.
Morris, D.
Mostyn, hon. E. M. L.
Mundy, E. M.
Muntz, G. F.
Napier, Sir C.
Newdegate, C. N.
Northland, Visct.
O'Brien, A. S.
O'Brien, W. S.
O'Brien, T.
O'Connell, D., jun.
O'Connell, M. J.
O'Connell, J.
O'Conor Don
Ogle, S. C. H.
Owen, Sir J.
Pakington, Sir J.
Palmer, R.
Parker, J.
Patten, J. W.
Peel, rt. hon. Sir R.
Plumridge, Capt.
Polhill, F.
Protheroe, E. D.
Pusey, P.
Rawdon, Col.
Reid, Col.
Repton, G. W. J.
Rice, E. R.
Rich, H.
Rolleston, Col.
Ross, D. R.
Russell, Lord J.
Russell, J. D. W.
Scrope, G. P.
Sheil, rt. hon. R. L.
Sibthorp, Col.
Smith, J. A.
Smith, rt. hon. R. V.
Somers, J. P.
Somerset, Lord G.
Somerville, Sir W. M.
Spooner, R.
Stanley, hon. W. O.
Stuart, Lord J.
Stuart, W. V.
Strutt, rt. hon. E.
Tancred, H. W.
Thornely, T.
Tollemache, J.
Towneley, J.
Trotter, J.
Tuite, H. M.
Tyrell, Sir J. T.
Vane, Lord H.
Villiers, hon. C.
Villiers, Visct.
Waddington, H. S.
Wakley, T.
Walker, R.
Walpole, S. H.
Ward, H. G.
Wawn, J. T.
Williams, W.
Wilshere, W
Wood, rt. hon. Sir C.
Worcester, Marq. of
Wyse, T.
Yorke, H. R.

TELLERS.

Hill, Lord M.
Tufnell, H.

List of the NOES.

Acton, Col.
Adderley, C. B.
Bateson, T.
Brooke, Lord
Brooke, Sir A. B.
Bruen, Colonel
Bunbury, W. M.
Chapman, B.
Chichester, Lord J. L.
Cole, hon. H. A.
Colebrooke, Sir T. E.
Coote, Sir C. H.
Corry, rt. hon. H.
Damer, hon. Col.
Gore, W. R. O.
Gregory, W. H.
Grogan, E.
Hamilton, J. H.
Hamilton, G. A.
Hill, Lord E.
Kirk, P.
Lefroy, A.
Leslie, C. P.
Macnamara, Maj.
Maunsell, T. P.
Maxwell, hon. J. P.
Milnes, R. M.
Milton, Visct.
Newry, Visct.
Shirley, E. J.
Shirley, E. P.
Taylor, E.
Verner, Sir W.
Vesey, hon. T.
Walsh, Sir J. B.
Wrightson, W. B.

TELLERS.

Shaw, H.
Young, T.

House resumed.

House adjourned a quarter before One o'clock.

HOUSE OF LORDS,

Monday, March 22, 1847.

MINUTES.] PUBLIC BILLS.—1^{a} Incumbered Estates (Ireland).

2^{a} Bankruptcy and Insolvency (No. 2); Drainage of Land.

PETITIONS PRESENTED. From Dissenters of Stamford, against the proposed Government Plan of Education.—By the Earl of Ellenborough, from Gloucester and Worcester, for the Repeal of the present Law of Settlement, and for a National Rate for the Relief of the Poor.—From Plymouth, for Legalizing Marriages between the Sister or other more remote Relation of the Deceased Wife.—By the Bishop of St. Asaph, from the Parish of St. George the Martyr, Queen Square, that the Benefit of the Baths and Washhouses Act may be extended to them and all other Parishes similarly situated.—By Lord Camoys, from the Parish of Rotherfield Greys, Oxford, for the Repeal of the Poor Removal Act.—From Waterford, for the Establishment of one uniform Rate in every Union in Ireland.—From Castlecorner, for the Adoption of a more extensive System of Railways in Ireland.

IRISH IMMIGRATION.

LORD BROUGHAM said, that he was now in a position to corroborate the statements he had laid before their Lordships on a previous evening, in reference to the immigration of Irish paupers into England and Scotland. He had since received accurate and most undeniable information; and, from what he had heard from the authorities of Greenock, the magistrates of Glasgow, and the parish officers of Liverpool, it was proved, beyond all doubt, that in many cases money had been furnished to poor Irish people to induce them to cross the Channel and leave Ireland by the landlords, and in some instances by the priests. It appeared that Mr. Rushton, the stipendiary magistrate at Liverpool, was in the habit of asking the Irish paupers who came before him how they had obtained those funds by which they had been enabled to sail for England; and the answers given fully demonstrated that a bonus, in the shape of passage-money, was paid to them to quit that country which should be responsible for their maintenance. An end ought instantly to be put to so iniquitous a system; and he thought that the plan suggested at Glasgow, the publication of the names of the parties from whom the money had been procured, would act most effectually. He would also suggest to those relievers of the poor in Ireland, who relieved themselves by sending them over here, that it was a dangerous experiment, for he recollected the case of two churchwardens tried in York for relieving a parish by furthering a marriage in another parish, and that was said to be a conspiracy.

The EARL of WICKLOW would not attempt to justify such a system as that alluded to by the noble and learned Lord; but it seemed to him to be utterly impossible that emigration, on any extensive scale, could have been promoted in the way stated. The guardians, or the proprietors of public works, could not be chargeable; for, if any such proceedings had taken place under their auspices, the expenses must have been paid out of their own pockets. In those cases, probably, where landlords were anxious to make a clearance of their land, they might have availed themselves of the opportunity, by paying the passage-money of a pauper to England, to get rid of what they considered a superfluous population. He did not, however, see how the evil was to be met; and he feared that six months hence it would be still more difficult to deal with. He did not think that a poor law, similar to that in operation in England, would tend to diminish the present burden, or to avert the future calamity.

LORD BROUGHAM replied, that it was quite clear somebody must pay the money, for the unfortunate people had no money themselves. There was the evidence given in the correspondence of the Commissariat, that the funds raised in this country for the relief of the destitute, had, on more than one occasion, been applied to the payment of the passage-money of paupers from Ireland.

LORD MONTEAGLE expressed his indignation at such an application of funds which were given for the relief of distress. They ought to have been restricted to such relief, and not used to send over poverty as a burden to England, which should be relieved in the country to which it belonged. He could not imagine any more complete desecration of money devoted to charitable purposes; but he thought the cases in which money had been so applied must be the exception, and not the rule.

LORD BROUGHAM did not apprehend it was the public money; it was more likely to be funds supplied by private charity.

LORD MONTEAGLE thought, that the expenditure of money so given could be properly checked and accounted for.

The MARQUESS of CLANRICARDE said, the benevolence of England at this crisis had been excessive, and, in many cases, money had been sent to individuals in Ireland, to be laid out at their discretion; he had no doubt this money was a portion of the funds so sent.

BANKRUPTCY AND INSOLVENCY BILL (No. 2).

LORD BROUGHAM moved the Second Reading of the Bankruptcy and Insolvency Bill. It was not necessary he should go at length into the question; he should merely state, as succinctly as possible, the object of the present measure. Their Lordships had passed a Bill having the effect of abolishing imprisonment for debt in cases where a party, giving up all his property to his creditors, petitioned the Court of Bankruptcy for protection. Where no fraud or gross extravagance appeared to have existed, the debtor was entitled to a final order protecting his person from arrest for the same debt. He proposed to make little or no alteration in that law, but only to effect some changes in the machinery by which that relief was afforded, and to transfer to the Insolvent Commissioners the jurisdiction given to the Bankruptcy Commissioners. His reason for this was, that in practice it had been found most inconvenient to mix up two different codes of laws; it had been found that a strong and incurable objection existed among parties themselves, among the merchants and tradesmen of the city of London, as well as among the solicitors and attorneys, to come to the Insolvent Court to work a bankruptcy commission. But insolvents flocked to the court, as they could find relief nowhere else. The reluctance on the part of men reduced by misfortunes and losses in trade to bankruptcy to resort to this court, had very much diminished its efficacy in administering the bankrupt law; and the result was, it became necessary to make some separation of the two branches. The six Bankrupt Commissioners received at present 2,000*l.* a year each, and were by no means overworked, not from any fault of their own, but because there was no work for them to do. They sat on an average four hours a day for fifteen or sixteen weeks in the year without the insolvency business, and nineteen or twenty weeks including it, and were assisted by a registrar at 1,000*l.* a year, and official assignees at no less than 1,500*l.* a year. Now, he thought this was a very expensive machinery for doing so little business. The remedy he would apply was to take away the insolvency from the Bankruptcy Commissioners, giving it to the Insolvency Commissioners, giving them the powers which the Bankruptcy Commissioners had; and to reduce the number of Bankrupt Commissioners to three. He knew there was an opinion that two Commissioners could do the business; but he did not wish to cut down the number so close, because, as was well known, crises took place in mercantile affairs which at the time greatly augmented the bankruptcy business. As to the Court of Review it had been substantially abolished, for the vacancies in the office of Judge had not been filled up; and one of the Vice Chancellors had devoted two or three weeks to the duties, and very efficiently performed them. There was, therefore, no reason why the original business of that court should not be transacted by the Commissioners; and appeals on points of law, but not on certificates, be carried before the Lord Chancellor or one of the Vice Chancellors. It had certainly turned out that the Court of Review had been much underworked; but that result could not have been foreseen at the time of constituting that court. The expense, therefore, of the Court of Review would be saved to the public, and the number of the Commissioners would be reduced from six to three. The new system had worked admirably well, far beyond his most sanguine expectations. The Bankruptcy Commissioners had set themselves to work up the old commissions, and nearly 2,000,000*l.* of money had been reclaimed under them, and distributed among the creditors of old estates, and many persons had by this means had their bankruptcy superseded by paying 20*s.* in the pound after a lapse of twenty-five years. Two branches of business were connected with the Insolvent Court—the one was the permanent sittings in London, and the other the circuits performed by three Commissioners, three times a year, each occupying six weeks. The circuits taken by the Commissioners were a great expense, and useless as well as expensive, if the business could be as well done by a gentleman resident on the spot; and he might mention by way of illustration that Mr. Commissioner Philips had to go all the way to Carnarvon, a distance of 225 miles to try one insolvency case. He proposed then to abolish the circuits of the Insolvency Commissioners, and vest the jurisdiction in the local judges who had been recently appointed by an Act brought in by the late Government, and carried out by his noble and learned Friend on the Woolsack. He understood that his noble and learned Friend upon the Woolsack had appointed very good judges; but he feared that he must have been overwhelmed with the number of applications for the appointments, for he (Lord Brougham) remembered that when he had only ten commissions to give away he received 1,700 applications.

The LORD CHANCELLOR observed, that he had had sixty appointments to dispose of.

LORD BROUGHAM said, he could only wonder, then, that his noble and learned Friend was alive to tell the story. According to the territorial divisions prescribed by the Local Courts Act, no person would have to travel more than eight miles to find a judge; and it must be evident that it would be most convenient to transfer the country insolvency jurisdiction to the newly established tribunals. He doubted even whether this ought not to be carried further, and these local judges be enabled to administer bankruptcy as well as insolvency. The Bill did not propose that; but only to transfer insolvent business to the local judges. It might well be considered, however, in a future stage of the Bill, whether the measure might not beneficially be so extended. The only point of any importance where the present Bill interfered with the law of bankrupts and insolvency, was in the case of the present protection between traders and non-traders. The difference between bankruptcy and insolvency was twofold. First, as to persons, the bankrupt being a trader, and the insolvent not; secondly, as to property, for the bankrupt was discharged not only as to his person, but as to future acquired property—while the insolvent was discharged only as to his person, and not as to future acquired property. The reason for the distinction was this—that a trader could get no person to trust him unless he were protected as to future acquired property; but it would be unfair to apply that rule to a gentleman or nobleman, the heir to an estate, and say that the property of which he might hereafter become possessed should not be applied to the discharge of his debts. By the provisions of the present Bill the Commissioner in Insolvency would be invested with power to take into consideration all the circumstances of the cases which might come before him. The Commissioner would have to satisfy himself that an insolvent had no prospect of succeeding to property—that his insolvency was attributable to misfortune, and not to wilful extravagance—and, above all, that he had not lain by and spent all the money he had—which, if he was insolvent, was his creditors', and not his—but had applied to the court for relief whilst he had it in his power to pay a dividend of 4*s*. or 5*s*. in the pound. The Bill provided, that if the Commissioner should be satisfied upon those points, he should be empowered to grant an insolvent protection as to future acquired property. He had now stated all that was material with respect to his Bill; and if it should be read a second time, he would allow it to stand over until after the holidays, and then, perhaps, the best course to be taken would be to refer it and another measure upon the same subject, which had been introduced by his noble and learned Friend on the Woolsack, to a Select Committee. The noble Lord concluded by moving that the Bill be read a second time.

The LORD CHANCELLOR said, that it was not his intention to oppose any obstruction to the Motion for the second reading of his noble and learned Friend's Bill. In many of the objects sought to be attained by the Bill, and in many of the observations made by his noble and learned Friend, he entirely concurred; indeed, the major part of the provisions of the present measure were nearly identical with those contained in a Bill which he (the Lord Chancellor) had introduced. It was very desirable that the subject should be investigated by a Select Committee, in which all the legal knowledge of the House might be brought to bear upon it. It might not be improper in him to express a doubt as to the expediency of deciding upon matters of detail, with respect to questions which were at present in an unsettled state; such, for instance, as the question as to the necessity of maintaining the existing distinction between bankruptcy and insolvency. It appeared to him, also, that until the amount of the business which would devolve upon the new local courts had been ascertained by experience, it would be unwise to transfer the country insolvency jurisdiction to them. The noble and learned Lord looked forward to the possibility of transferring some part of the bankruptcy jurisdiction to the same tribunals; but, for the reason he had just assigned, he could not at present express a decided opinion with respect to that proposition. It certainly was his opinion, however, that some alteration of the jurisdiction in bankruptcy was imperatively called for. Under the law as it stood, if a bankruptcy took place in Norfolk, it was impossible to take a step in the business without bringing up the bankrupt, his agent, and witnesses to London. A deputation which had recently waited upon him from Brighton had informed him that, notwithstanding the facility of communication between that town and London, the circumstance of parties being compelled to come to the metropolis, operated to prevent many cases of fraud from being investigated.

Lord ASHBURTON said, that if he had been aware that the second reading of the Bill was fixed for that evening, he would have presented a petition upon the subject which had been placed in his hands, and which was signed by some of the leading traders of the city of London. The importance of the subject under their Lordships' consideration might be estimated from a statement contained in the petition to which he had alluded, namely, that 24,000,000*l.* sterling were annually lost to the trade of the country by bad debts, in some shape or other. When their Lordships heard that, they could easily imagine the importance which persons engaged in trade attached to an alteration of the laws of bankruptcy and insolvency. The petitioners maintained, that without a recurrence to the law of arrest under mesne process, guarded as it might be from abuse, they did not see the possibility of getting rid of the present evils. He begged to say, also, that he saw no mode of dealing equitably and fairly in the cases of debtor and creditor, without making a distinction between insolvents and bankrupts, because the cases were totally different. Their position in society was different, and their condition of moral delinquency in contracting debt was also totally different.

Lord BROUGHAM said, that what had fallen from the noble Lord who had just spoken, had the greatest possible weight with him, not merely from the position which he at one time held as one of the first merchants in the world, but also from the great acuteness which he always displayed in matters of business. He was most anxious that the whole subject should be discussed in Committee; and if it should be found that they had committed an error in abolishing imprisonment for debt, he should feel it was their duty to reconsider that subject. He owned, however, that in his opinion, it would be impossible to revert to that system. With respect to the difficulty of giving jurisdiction in these cases to the judges of the local courts on account of the additional labour, he was informed by Mr. Commissioner Phillips, that in the whole of his circuit through nineteen counties, including Lancashire and Yorkshire, he had had so few insolvency cases, that during the whole of six weeks he had only to sit seventy hours to dispose of four months' arrear of them. It could not, therefore, add more than about an hour's duty to each of these judges; and the commencement of the Act could be postponed until they had become fully initiated in their new duties. He agreed with his noble Friend that it would be well if they could commence by agreeing upon some general principle; as, for example, assimilating the law of insolvency and bankruptcy, and applying it to all persons. It was his belief, however, that they would find this impossible; for he thought neither their Lordships nor the Members of the House of Commons would feel disposed, from patriotic motives, and still less for the sake of assimilating the law, to render themselves liable to be made bankrupts. As he had stated, however, he was quite prepared to reconsider the question, as well as that of arrest for debt, for the late alteration in the law having necessarily been in a great measure experimental, would be most wisely brought again under the notice of the Legislature.

Bill read 2^{a}.

INCUMBERED ESTATES (IRELAND) BILL.

The LORD CHANCELLOR moved the first reading of a Bill to facilitate the Sale of Incumbered Estates in Ireland. He felt that this was a measure of very great importance, and it had been very anxiously looked for. In preparing, it every attention had been paid to the details; and the delay which had taken place on its introduction was not more than was required for the adjustment of the machinery necessary for the operation of the Bill, and at the same time absolutely necessary to protect parties as well as those who were interested in the remainder of those estates.

Lord STANLEY wished to know when the noble and learned Lord intended to take the second reading, and whether, as a number of Irish Peers had left town, he was of opinion that it should be taken before Easter?

The LORD CHANCELLOR thought it desirable that the Bill should be circulated as soon as possible. It ought not, however, to be read a second time till after Easter.

Bill read 1^{a}.

House adjourned.

HOUSE OF COMMONS,

Monday, March 22, 1847.

Minutes.] New Writ. For the Eastern Division of Somerset, *v.* Colonel Gore Langton, deceased.

New Member Sworn. For Lewes, Robert Perfect, Esq.

Public Bills.—2^{o} Army Service.

Reported.—Prisons; Custody of Offenders.

3^{o} General Register House (Edinburgh).

Petitions Presented. By Mr. L. Bruges, from Melksham, for Better Observance of the Lord's Day.—By Mr. Hume, from Hanover (Jamaica), for the Abolition of Commercial Restrictions.—By Mr. Brotherton and other Hon. Members, from several places, against the Use of Grain in Breweries and Distilleries.—By Mr. Gaskell and other Hon. Members, from several places, in Favour of the Rating of Tenements (No. 2) Bill.—By Mr. Ferrand, from Shipley, for Repeal of the Anatomy Act.—By Mr. Bright and other Hon. Members, from a great many places, against the Government Scheme of Education.—By Colonel Mure, from Paisley, and Mr. F. Scott, from Selkirk, against the Marriage (Scotland) Bill.—By Sir W. Clay, from London, for an Efficient Poor Law (Ireland).—By Mr. Blake and other Hon. Members, from several places, for Alteration of the Poor Relief (Ireland) Bill.—By Mr. Sotheron, from Guardians of the Swindon Union, and Mr. Trotter, from West Clandon (Surrey), for Repeal or Alteration of the Poor Removal Act.—By Mr. E. Ellice, from Queen's Ferry, and Mr. Hume, from Cowes, in Favour of the Ports, Harbours, &c. Bill (1846).—By Mr. E. Ellice, from the Edinburgh and Northern Railway Company, against the Railways Bill.—By Captain Bunbury, from Castlecomer, in Favour of the Railways (Ireland) Bill.—By Sir G. Clerk and other Hon. Members, from several places, against the Registering Births, &c. (Scotland) Bill.—By Mr. Forbes and other Hon. Members, from several places, against the Registering of Births, &c. (Scotland) Bill; and Marriage (Scotland) Bill.—By Sir G. Clerk and other Hon. Members, from a great many places, for Compensation relating to the Registering of Births, &c. (Scotland) Bill; and the Marriage (Scotland) Bill.—By Dr. Bowring, from Great and Little Bolton, and Mr. Entwisle, from Halshaw Moor, for Alteration of the Law respecting the Sale of Beer.

GOVERNMENT EDUCATION.

Mr. C. BERKELEY wished to put a question to the noble Lord of considerable importance, upon a subject which was creating great agitation and uneasiness in the country at this moment, namely, whether it were the intention of Her Majesty's Government to persevere in the system of education proposed in the Minutes of Council; and, if the answer of the noble Lord should be in the affirmative, when he would proceed with the Miscellaneous Estimates.

Lord J. RUSSELL said, it was the intention of the Government to persevere in the system laid down in the Minutes of Council; and that he could not bring forward the Miscellaneous Estimates before Easter.

STEAM NAVIGATION IN AUSTRALIA.

Mr. F. SCOTT inquired of the hon. Gentleman the Under Secretary of State for the Colonies, whether it was the intention of the Government to grant for the current year any, and what, sums of money to assist private enterprise in steam navigation in Australia and New Zealand?

Mr. HAWES admitted the importance of the subject to which the hon. Gentleman had referred; but all that he could at present say in answer to the question of the hon. Gentleman was, that several plans had been laid before the noble Lord the Secretary of State for the Colonial Department, but that his noble Friend was not prepared at the present moment to express any opinion in favour of any one or other of them. The subject had occupied the attention of his noble Friend, and would continue to do so; but he was not yet prepared to propose the advance of any public money for the promotion of the object which the hon. Gentleman contemplated. He (Mr. Hawes) would take the present opportunity of observing, that if the parties themselves who were connected with the colonies of Australia and New Zealand should evince a disposition to promote that object, they would, in his opinion, very much facilitate the obtaining of a grant of public money for assisting the steam navigation with those colonies.

PUBLIC WORKS (IRELAND).

Mr. W. S. O'BRIEN begged to ask the right hon. Gentleman the Secretary for Ireland whether the rule which had been established for discharging 20 per cent of the persons employed on the public relief works in Ireland was intended to apply to those parishes where the arrangements for the distribution of soup had not yet come into operation?

Mr. LABOUCHERE replied, that the hon. Gentleman had truly stated that a rule was laid down that the persons employed on public works in Ireland should be reduced in the ratio of 20 per cent; but the rule was not of necessity to apply equally to every parish in Ireland, without regard to the special circumstances of each locality. The meaning of the rule was, that the reduction of the persons employed should, on the whole, be adequate to a reduction of 20 per cent, but leaving it to the discretion of the Irish Government as to what parts of Ireland that rule should be applied.

Mr. HINDLEY begged to suggest that a week's wages in advance should be given to any man who wished to go from the public works to farm labour. It would be a great inducement to men to return to the cultivation of the land.

EXPORTATION OF CORN FROM RUSSIA.

Lord J. RUSSELL said, that he was asked by an hon. Member, some time ago, whether there was any truth in the report that the Emperor of Russia had prohibited the exportation of corn from that country. He now begged to inform that hon. Gentleman and the House, that a letter had been received from Lord Bloomfield, stating, that as soon as the report had come to his knowledge, he had a communication with the Minister of Finance at St. Petersburgh on the subject, and that he had been informed by the Russian Government that the report was without any foundation whatsoever; but that, on the contrary, the exportation of grain from the Russian ports would be facilitated by all possible means by the Government of that country.

POST OFFICE.

MR. MOFFATT begged leave to ask the right hon. Baronet the Chancellor of the Exchequer, whether any and what steps had been taken to prevent public servants employed in the Post Office being also employed in a private speculation called the *Post Office London Directory?* It would be in the recollection of the House, that in the last Session of Parliament a very grave charge was brought against the Post Office authorities, with regard to one of the principal officers of that establishment employing inferior persons belonging to the Post Office (the letter-carriers) in a private speculation of his own; and of evading his duty at the Post Office. There was also another charge of a very grave nature brought against the same superior officer. Those charges were, when first brought forward, but very faintly apologized for; and an inquiry was promised to be instituted. The result of that inquiry had not yet transpired; but he (Mr. Moffatt) had been informed that the system of employing public servants (the letter-carriers) to assist Mr. Kelly, the inspector, in getting up a work called the *Post Office Directory*, was still continued; and that the result of the inquiry would establish against Mr. Kelly the grave charge of his having made an inaccurate return to Parliament of the sum realized by him from the publication of the *Directory*. Mr. Kelly stated that the sum he received on account of that publication was 1,200*l.* a year; whereas the statement of the hon. Member for Finsbury (Mr. T. Duncombe) showed that Mr. Kelly made something like a sum of 2,500*l.* a year from that source. Consequently, there had been a distinct inaccurate statement laid before the House of Commons by a public servant. He would not dwell upon the circumstance of the very high price charged to the public for the work in question, though there could be no doubt that Mr. Kelly demanded full 30 or 40 per cent more for the work than it could be profitably sold for by any other publisher. He would simply ask whether any and what steps had been taken to prevent public servants employed in the Post Office being also employed in the manner he had described?

The CHANCELLOR OF THE EXCHEQUER said, that the subject to which the question of the hon. Gentleman referred, was brought under the consideration of the Postmaster General and the Government in the course of last autumn; but considerable difficulties arose on the subject of the amount of compensation to be made to Mr. Kelly, in the event of the publication called the *Post Office Directory* being taken from him, with a view of its being published under the immediate authority of the Government. That Mr. Kelly's claim to compensation was valid to a certain extent, could not be denied. At that time it was necessary for the Government to come to some immediate decision, in order that the requisite preparations should be made for the publication of the *Post Office Directory* at the usual period; but the Government were certainly unwilling to accede to the proposal submitted by Mr. Kelly; and at length a communication was made to that gentleman, informing him that he should be permitted to continue to publish the *Directory* until such time as a decision should be come to. That decision had now been come to, and it was to this effect —that Mr. Kelly himself, who bought the concern from his predecessor in office, and who had spent a considerable sum of money in setting up a printing-office of his own, and erecting the machinery appertaining thereto, for the purpose of carrying on the *Post Office Directory* in partnership with his brother, who was not in any way connected with the Post Office, was to be permitted to continue the publication of the work, but without any compensation whatever from the public (so we understood the right hon. Baronet to say). Mr. Kelly was, however, prohibited from employing any person connected with the Post Office in the getting up of the *Directory;* and it was distinctly understood, that if he at any time should employ any public servant belonging to the Post Office to serve him in his private character as the publisher of the *Post Office Directory*, he would be subject to heavy penalties.

MR. T. DUNCOMBE was of opinion that, so far from Mr. Kelly being entitled to compensation in consideration of the publishing of the *Post Office Directory* being taken from him, the public were justly entitled to restitution from Mr. Kelly for the large sums he had obtained by the publication of that work, which had been entirely got up by the labours of the letter-carriers. Mr. Kelly made a return of his receipts, on account of the *Directory*, to the amount of 1,200*l.* a year; whereas if a Committee of Inquiry were granted, he would undertake to prove that Mr. Kelly had made 12,000*l.* a year out of the Post Office establishment. There was a question he wished to ask the right hon. Baronet the Chancellor of the Exchequer. He (Mr. Duncombe) understood that Mr. Rowland Hill had got employment in the Post Office, and that he was smothered in a small room, surrounded by three or four clerks. Now, what he wished exactly to know was, what were the duties which Mr. R. Hill had to perform, and what was the amount of salary he received? He was informed that Mr. Hill was perfectly powerless, and could not receive any assistance either from Mr. Kelly or from Mr. Bokenham; and a notice was publicly placarded in the Post Office, stating that any persons (meaning of course the letter-carriers) having any suggestions to offer to Mr. Rowland Hill for the improvement of the Post Office establishment, were to have the goodness to lay their suggestions before Mr. Rowland Hill through the heads of their respective offices. Now, the heads of the offices were Mr. Kelly and Mr. Bokenham. Was it not clear, that even if any of the letter-carriers were to make suggestions for the improvement of the Post Office establishment, or to make known any complaint against the working of that establishment, through the medium of those two gentlemen, no such suggestions or complaints would ever arrive at Mr. R. Hill's table? It was his decided opinion that every communication ought to go directly to Mr. Rowland Hill. To show how much Mr. Kelly and Mr. Bokenham respected Mr. Rowland Hill, he would just remind the House of what occurred when that gentleman left the Post Office in 1842. On that occasion a notice was stuck up to this effect:—

> "Whereas Mr. Rowland Hill's connexion with the Post Office having ceased, notice is hereby given, that any officer belonging to this department (that is to say, the letter-carriers' department) holding communication with him, directly or indirectly, shall be dismissed the public service."

Under these circumstances, he should like to know what possible chance Mr. Rowland Hill had of receiving any suggestion for the public benefit through such parties as those who put that notice forward? He thought it therefore important, since the public were paying Mr. Rowland Hill and two or three clerks, that the House should know exactly what was the salary Mr. Rowland Hill received, what were his duties, and what the chance of his receiving any communication for the improvement of the Post Office department through such channels as those?

The CHANCELLOR OF THE EXCHEQUER had been misunderstood by the hon. Gentleman as to what he (the Chancellor of the Exchequer) had said in answer to the question put by the hon. Member for Dartmouth. He (the Chancellor of the Exchequer) had admitted that, according to precedents, Mr. Kelly had a right to compensation to some extent; but that at present Mr. Kelly was permitted to carry on the work on his own account, being at the same time debarred from receiving the services of any person whatsoever employed in the Post Office, for the purpose of aiding him in such publication. But if the Post Office authorities were to take away the publication of the *Directory* from Mr. Kelly, then his claim for compensation would stand as at present. With regard to Mr. Rowland Hill, the hon. Gentleman (Mr. Duncombe) had stated what had been done by certain parties in 1842; and he had also mentioned the fact of a certain notice having been put up at the Post Office. Now, whether those gentlemen, whose names his hon. Friend mentioned, had so acted or not, he (the Chancellor of the Exchequer) had had no opportunity of ascertaining; for no notice had been given to him that his hon. Friend intended to put any question respecting Mr. Rowland Hill. It might be known to most hon. Gentlemen that the business of the Post Office had increased to a most enormous extent. A few days ago, he had received a return, showing that the number of letters passing through the Post Office in one week was now more than double the number that passed through it five years ago. For the particular week at the present time, the number of letters was upwards of 6,000,000; whereas five years ago the number for the week was only 3,000,000. This, of course, had very much increased the labours of the Post Office. This being so, it was thought desirable that additional assistance should be given to that department; and the Government were of opinion that no one in this country was so well qualified to give that assistance as Mr. Rowland Hill. That gentleman was accordingly appointed Secretary to the Postmaster General, with several clerks of his own. The salary of Mr. Rowland Hill was 1,200*l.* a year. [MR. T. DUNCOMBE: What are the salaries of the clerks?] He could not exactly say what they were; and his hon. Friend must admit that it was not too much to say that he could not carry in his head the exact amount of the salaries of all the clerks. But the salary of Mr. R. Hill himself was, as he had stated, 1,200*l.* a year; and he was happy to say, in relation to the services of that gentleman, that in a conversation which he had with his noble Friend the Postmaster General a few days ago, his noble Friend informed him that Mr. Rowland Hill had been the means of introducing very great reforms in the Post Office establishment.

TWO LATE EXECUTIONS.

MR. BRIGHT said, it appeared by the newspapers that the execution of two men took place at Morpeth on Wednesday last, when by the excessive bungling of the executioner, a most horrible scene occurred that greatly added to the barbarity of capital punishments. He wished to ask the right hon. Baronet the Secretary of State for the Home Department, whether he had made any inquiry into the circumstances, and whether he had taken any steps to prevent a similar occurrence in future? He also begged to ask the right hon. Baronet, whether he had received from any of the Judges an intimation that there was, and had been recently, an increasing indisposition on the part of juries to return a verdict of guilty in cases where capital punishment was likely to be inflicted? He asked this question in consequence of the recent acquittal of three men, for what was called the Barnard Castle Murder, and their subsequent conviction for robbing the person who was murdered.

SIR G. GREY had received no information whatever respecting the circumstance alleged to have taken place at Morpeth; but he would make inquiry on the subject. Neither had he received any information from any of the Judges with regard to the indisposition of juries to convict in cases where capital punishment might be inflicted. But he observed, that in the Barnard Castle case, the learned Judge passed the severest punishment the law allowed on the persons convicted.

IRISH IMMIGRANTS.

SIR B. HALL wished to call the attention of the right hon. Baronet the Secretary of State for the Home Department to a subject of great importance—the enormous immigration of Irish paupers into Liverpool and other parts of England. In a letter, written by a person in authority at Liverpool, it was stated that—

> "Many reports were circulated of the cause of this influx of strangers—such as their being forced from Ireland, sent over by societies, and many other tales, which induced me to send, on the 19th of January, two experienced and intelligent police constables of the 'detective force' of this borough to Ireland, for the purpose of ascertaining, if possible, the real and ostensible cause of emigration. These officers travelled through the counties of Kildare, King's County, Westmeath, Roscommon, Galway, Mayo, and Sligo—mixing with people of different grades—and the result of their inquiries may be summed up thus. The landlord or his agent, perceiving their little stock vanishing, and no rent forthcoming, applied for a process of ejectment; the cottier and his family, without hesitation, put everything portable upon their backs, and make their way towards Dublin, or some other seaport, determined to reach England, where they all understand they will not be allowed to starve. The constables gave the names of certain landlords and their agents, who have been most pressing upon their tenants, which it would be unwise in me, perhaps, to promulgate; and I will merely say, that on one estate notices had been served on 1,400 tenants; that 1,100 processes were heard and determined in one week in one town, where 5,600 were said to be still pending; and that one attorney in the same barony had 3,000 defences in his hand at one time."

Thus much as regarded Liverpool, at which place no less than 30,000 Irish paupers arrived during the last month, the total number that had reached that town being upwards of 60,000. Then, as regarded Newport, in South Wales, he found the following statement:—

> "Overwhelming Immigration of the Irish Poor to Newport.—The streets of our town present an alarming and lamentable appearance, being literally crowded with famishing and half-naked strangers from the most distressed parts of Ireland, several shiploads of whom, amounting to many hundreds, have been huddled together in the holds of coal vessels for this country at the expense of local committees, to lessen the number of famishing creatures at home. Five of the perishing beings who were removed from the hold of that floating pest-house, the *Wanderer*, at the risk of the lives of charitable gentlemen, have since died; and, in another case, it is known that the captain of a vessel absolutely forced two poor women with children from on board, into the snow on shore, during the late severe weather, at half-past ten o'clock at night, below Pillgwenlly, who, from weakness, then lay down to perish, and would have sunk, were it not for the humanity of two poor men accidentally passing, and who carried them on their backs to a place of warmth and shelter for the night."

He wished to ask, whether the right hon. Gentleman (Sir G. Grey) had had his attention called to this subject, and whether the first of the cases was a solitary instance of the kind or not?

Sir G. GREY replied, that he had received information of the circumstance alluded to by the hon. Baronet. At the same time, he had been assured on authority which, he believed, could be relied upon, that there was a solitary instance in which there had been official interference for the removal of Irish paupers to England. This was the only case which rested on what he regarded as authentic evidence.

THE NEW HOUSE OF LORDS—ACCOMMODATION FOR THE COMMONS.

Mr. HUME wished to ask the noble Lord the First Commissioner of Woods and Forests a question which appeared to him very important, not only to that House, but to the country. That House was required to attend Her Majesty whenever summoned; and it was most desirous that the Speaker of the House should go up to the House of Lords with that decorum consistent with the high character which should attend every proceeding of that House. He might refer to past periods, not very far distant, when the House proceeded to the House of Lords, when summoned, in a way consistent with the high character which the House should maintain; but now the personal safety of hon. Members, especially as regarded their coats, was altogether neglected; for he had seen several injured in their progress to the Upper House. He did not allude to any part of the Speaker's habiliments; but it was perfectly well known that the House was greatly inconvenienced, and great risk attended those who accompanied the Speaker. It became then a matter of great importance that that House should meet with decent attention when summoned to the other House. He had put a question to the noble Lord at the head of the Woods and Forests on this subject on a former occasion, and since then he had been to see what accommodation would be afforded at the bar and in the gallery to the Members of that House wishing to be present at the debates in the other House. Taking the whole space under the bar, which was to be occupied by the Speaker and that House when summoned to the other, it would not hold one tithe of the number of Members; and he asked if they were to submit to be placed in such straitened circumstances? They must come to one of two conclusions—either not to go at all, or to appoint a certain limited number to go; but, if a certain number went, they must be appointed by ballot, and that was an objectionable course for such a purpose; but one of these courses would be necessary, as the compartment could not contain more than twenty-two without considerable pressure. Mr. Barry admitted that the limits were narrow, and said that there was not much room at the bar, but then the gallery would afford sufficient accommodation. The gallery certainly might afford accommodation to those who wished to attend the debates in the other House; but he objected that the Commons of England, when summoned to the other House to attend Her Majesty, or for other purposes, had not proper accommodation below the bar. He considered it to be a just ground of complaint, that, after so much expense on this building, and after so long a delay, the place was not calculated to accommodate more than thirty Members. He thought that this was a matter of serious consequence; and he trusted that some steps would be taken to remedy the inconvenience, and that provision would be made in time for that purpose. This was a serious ground of complaint; and the persons who had neglected to provide proper accommodation for that House should be called to account. He, therefore, put the question to Her Majesty's Government, in the hope of getting a satisfactory explanation.

Major LAYARD wished, before the noble Lord replied, to put another question to him, which was connected with this subject. In the present House of Lords there was a gallery appropriated to Members of that House, but strangers were constantly being placed in it. He wished to ask the noble Lord, whether, in the place intended for Members of that House in the House of Lords, provision should not be made to keep it exclusively for Members?

Viscount MORPETH had mentioned on a former occasion, that the accommodation to Members of the House of Commons would be on the same footing as at present; but it was on a larger scale in the New House. It was impossible to look for such a space before the bar of the House of Lords as would accommodate all the Members of that House, nor did he think that it would be advisable to attempt to provide it. It should be remembered that the new House was a room for the transaction of business, and must not be of an inconvenient size. With respect to the question of the hon. and gallant Member for Carlow, he thought that it was a very proper question; and while the Members of that House had access to the bar of the other House, they should be separated from strangers. Besides the space below the bar, there would be a gallery provided with seats; and in the course to be pursued by the other House, he was sure that the House of Lords would show every complaisance to that House.

Mr. HUME thought that there should be a Committee appointed to superintend its arrangements, and that the Members should not appear there like a rabble, altogether inconsistent with the dignity of the House.

THE ARMY SERVICE BILL.

Mr. FOX MAULE said that, in rising to move the second reading of this Bill, he deemed it incumbent on him, as the Bill was introduced without an explanation as to its nature, to make a statement as to its principles, and as to the motives which induced the Government to bring forward such a measure. They might have followed the precedent of 1806, and have introduced the change of the system of enlistment from unlimited to limited service, by simply altering the Schedule of the Mutiny Bill. It had, however, been the practice of late to remove as much as possible extraneous matter from the Mutiny Bill; and they had, year after year, removed much, from a fear that it was likely to excite discussion in that House, and make a clear and distinct law as applicable to the maintenance of the discipline of the Army. The discussions on subjects connected with the Army had been caused in that House chiefly on the Government proposing votes of supply. He thought that in adopting a principle of this nature, it would be better to adopt a special measure rather than take up and discuss the subject year by year; he had, therefore, preferred calling the special attention of the House to it, and asking them to legislate in a definite and formal manner on the subject. His object was, first, the alteration in the principle of the establishment of the Army, which, if adopted by the House, would not, as in the case of the change made by the Mutiny Bill, be repealed without due notice, and without sufficient experience of the principle. It would be in the recollection of the House, that two years after the former plan for a limited enlistment passed, it was repealed, so that by means of it they had no experience of the value of the principle of limited enlistment for the Army. He believed that at the present day there was no one in that House that would start preliminary objections to a standing army in this country. He assumed that this was a matter which none would venture to dispute, and that all would admit that the great domestic interests of the country, its widely-extended colonies, and its position amongst the nations of the world, made it requisite that they should have a permanent Army. The question then was, how this Army should be constituted, and how it could most easily supply any deficiencies that arose in its ranks, and how it could be made to bear with most ease on the community. We could not, however, have recourse to the mode of recruiting the ranks of the Army, which existed abroad. In France they had a system of conscription; in Prussia they had a military instruction and a military law; but in this country the ranks of the Army were filled up on the principle that recruiting was a voluntary act; but in order to make the system a really voluntary and at the same time a really useful one, it ought to be differently regulated from what had been the case hitherto, and be made palatable to those ranks from which the recruits were selected. To understand what this voluntary principle was, the House must look to the manner in which it was carried out. When his hon. and gallant Friend (Major Layard) brought forward his Motion last year, his noble Friend at the head of the Government promised that the question should receive careful consideration during the recess of Parliament. It had been well considered, and it appeared to him that there was no system of enlistment that was really voluntary, except in name. By the practices resorted to, it was deprived of all the virtues of a voluntary enlistment. On looking into the matter, very serious doubts arose whether any one ever enlisted into the Army for the purpose of making it a regular profession for life. He found that there were some classes of their recruits who had readily gone into the ranks, not with any view to the future, but rather with a view of escaping present distress. Their ranks were very much recruited by the idle and the dissolute, who thought that in the life of a soldier they would find that idleness and dissipation congenial to their dispositions. It was too often the case, that the prodigal sought in the Army a refuge from his improvidence; and lads who had got into disgrace, immediately had recourse to enlistment in order to avoid their masters. With that class voluntary enlistment was at an end. All the rest was voluntary only in name: it was in reality brought about by the artifices and promises of recruiting officers towards those who could hardly be said to be responsible for their own conduct. The result of the system was, that the great majority of our recruits entered the Army under circumstances most disadvantageous for the service itself. All kinds of baits were thrown out to catch the unwary, to induce them to become recruits. The place to which they adjourned was the public-house; and men were tempted to enlist by the promise of bounty-money when they knew not what they were doing, and too often found that in a moment of inebriety they had bartered their liberty for life. He did not mean that they became slaves; but they placed their own lives at the disposal of those who commanded them; and when a man found himself in this position, he often deserted in the first moment of disappointment. He was arrested, probably, in the course of a few days; and the man who had voluntarily joined the regiment, was brought back in custody, and involuntarily made a soldier. They had often heard, too, of men who had maimed themselves, under the influence of a dislike to the service. When they considered that a man was taken away altogether from his domestic ties—when he knew he had no hope of regaining his fireside, except under a high fine in the shape of purchase-money—they must conclude that the Army was not supplied with the men most proper for the service. It behoved the House to consider whether, when the Army was so much improved—and more was now done for it than formerly—they could, by revising the system of enlistment, remove many of those painful circumstances which he had described, and make the life of a soldier more acceptable than at present, and improve the character of the Army. He did not pretend to say that limited enlistment would cure all those evils; but it would have the effect of curing many. If accompanied by those other measures of improvement begun by the late Administration, and continued by the present Government, he believed that many of the evils of which they had now reason to complain, would be effectually cured. Many obstacles which formerly existed to entering the Army, had been lately removed; the degrading punishment of the lash was now scarcely heard of, and he hoped to hear less of it every day; a system of education had been introduced in the regiments of the line and into garrisons; and there had been other improvements which would form inducements to persons of a higher class to enter the service; and the Government would hold out every means in their power to render the service acceptable to those from whose members it was recruited. What he proposed was, to adopt a system of limited service, and to alter the term of enlistment to ten years for the infantry, and to twelve years for the cavalry, artillery, and ordnance, as the first period for which a man should enter; after the expiration of those periods respectively, it would be at the option of the man to re-enlist, with the benefit of his former service, for eleven years in the infantry, and for twelve years in the cavalry, making the whole period twenty-one years in the infantry, and twenty-four years in the cavalry, which were the present periods required to entitle a man to a pension. He also should take a power by the Bill to provide for the contingency of men's period of service expiring while their regiment was abroad, in which case the officer in command should be empowered to keep the man in service for another year, the responsibility lying on him to show that it was necessary for the public service. And in the case of a state of actual warfare, the officers of regiments in active service should have the power of detaining the men for an additional period of two years. There was also another arrangement by which, if at the end of the terms of twenty-one years and twenty-four years, respectively, the men chose to remain in the service, he proposed to give a power to them to continue, with the consent of their commanding officers, three months' notice being required of them before they should subsequently quit the service. He might be asked why he made such a difference between the periods of service in the cavalry and infantry. The reason was, that the training of recruits for the cavalry, artillery, and ordnance, was much more difficult than for the infantry. It was a matter that required a much longer period of time, and the public was therefore entitled to a longer period of service in those branches of the Army than in the infantry. The Bill went on to provide that after the first ten years of service a soldier should have the option of retiring, if he should think fit, from the Army altogether. But he (Mr. Fox Maule) did not propose to lose sight of him thereby. He thought that such a course would not be for the benefit of the country at large. But the soldier should have the option, if he should think fit to avail himself of the proposal, of enrolling himself again for a deferred pension; and during the time for which he should be enrolled for the deferred pension, he would have to serve, from time to time, twelve days in the year, on the same principle as the enrolled pensioners at present, under the provisions of the Acts passed in the years 6 and 7 and 9 and 10 Victoria. The pensions granted to soldiers at present, at the end of twenty-one years' service, being fixed from time to time at certain amounts by royal warrant, he proposed that those pensions should be fixed at the same amount as the lowest granted by the royal warrant. And if, after ten years' active service, the soldier should enrol himself for a deferred pension, he proposed that he should be enrolled for twenty-two years' service: that was to say, two years of enrolled were to be considered equivalent to one year of active service, to entitle to the deferred pension. The case of the soldier would then stand thus: he would enlist, suppose in the infantry, at eighteen years of age; his first period of service, ten years, would bring him up to twenty-eight years of age; and if at that age he chose to enrol himself for a deferred pension, his service of twenty-two years—twelve days' service in the year—would bring him up to fifty, at which age he would begin to receive a small deferred pension, of which he would be left in the uninterrupted enjoyment for the remainder of his life. That plan would answer a double object. It would induce many men to enter the Army with the full purpose of merely spending the first period of enlistment in its ranks. They would enter under the conviction that their discharge would take place whilst they would still be young — when they might be at the age, say, of twenty-eight —when they would be fitted to enter upon any other mode of life, either agricultural or manufacturing; and they would carry with them into society, after having quitted the Army, those habits of order and regularity which they would have acquired in the service from the very nature of its discipline. Whilst if they enrolled themselves for the deferred pensions, they would form a reserved force for the service of the country, which would be of the highest utility, and would be found of the greatest importance, should this country ever be called upon to defend its shores. Those who combined good conduct with the most considerable proficiency, would be distinguished. The enrolled force would be regularly inspected by the general officers in whose districts they might reside. They would be called upon to do duty for twelve days in the year; and he (Mr. F. Maule) would take upon him to say that they would be found a most efficient force. For, judging by the reports of the general officers who had inspected the enrolled pensioners, it would appear that for all defensive purposes, especially behind walls, and where very active service on foot was not required, those men were as fit for service as when they carried their firelocks at Waterloo (and some of them had carried them in the field even before that period). Those would constitute the principal provisions of the Bill. There were many other matters of detail which it would not be necessary to settle in an Act of Parliament. The prerogative of the Crown could do much in these matters. By the royal prerogative, a soldier could be permitted to quit the service of the Crown whenever it should be deemed proper. But if he were asked why he did not extend the privileges which this Bill would afford to the present Army as constituted?—why he should make the objects of it prospective and not retrospective?—he must reply that it was not necessary for Parliament to interfere to do so. If it should be found necessary that every man of those at present, as of those to be hereafter enlisted, should be placed upon the same footing, it could be done by the prerogative of the Sovereign, and upon the responsibility of the Executive Government. But he was not, he confessed, prepared to recommend the adoption of such a course at present. For, however desirable it might appear, still common prudence would require that they should have some experience in its practical working, before such an extensive alteration could be made. Men in the ranks had not so much reason to complain now, as they had formerly, for his right hon. predecessor had given great encouragement to them. Amongst other improvements in the system, they had the power of obtaining their discharge at an earlier period than before. But let them see what the mode of obtaining discharges from the Army was at present. After five years of actual service in the infantry, a man might obtain his discharge upon payment of 20*l.* After five years service, with one mark for good conduct, he must pay 18*l.*; after seven years actual service, with one distinguishing mark for good conduct, he would have to pay 15*l.*; after ten years, with two distinguishing marks for good conduct, he might get his discharge for 5*l.*; and it was not until twenty years service that he could get his free discharge. After fourteen years, fifteen years, and sixteen years service, he became entitled to a deferred pension of 4*d.*, 5*d.*, and 6*d.* a day respectively. He did not think that those who might complain of the mode he was about to pursue, would have any broad footing to stand upon. But so far as it rested with him, if on the one hand he refused to soldiers at present in the ranks the right which he would give to the recruits ten years hence, he would on the other take care that the warrants which had emanated from his hon. Friend, should be strictly, literally, and honourably fulfilled. The provisions of the Bill he proposed would take effect as soon it could be brought into operation; and he thought it would make the service much more popular than at present in the country. There were not many subjects upon which they should legislate in a merely popular point of view. But if there was one case more than another in which the popular view should be regarded as a very large item, it was that of the Army, because it was from the masses of the country that the ranks of the Army were recruited; and unless the service could be made palatable to the people, it would be vain to expect voluntary recruits. It would be only some distinguished and favoured corps, such as the Horse Guards, the Life Guards, and some others, that would be sought after—corps, the ranks of which were entered at present by respectable persons. They should then make the service palatable. But in an economical point of view, it was also deserving of attention. The expenses of recruiting were, perhaps, little attended to, but they formed a very considerable item in the expenditure of the country. The recruiting service was spread over the whole of the United Kingdom, and there was a very large outlay incurred in the transmission of recruits backwards and forwards, all of which might be avoided by making the service popular, if they had places to which recruits might repair. Another advantage would also be gained by the officers at present scattered over the country, engaged in the recruiting service, being enabled to enter upon active duty, whilst the question of bounty would also be solved if the service could be made sufficiently attractive by the adoption of plans of limited enlistment, good education, and other means which might be adopted for rendering it popular. Mr. Wyndham had said that the Army could never be considered perfect until the whole system of bounties was abolished, and until the Army was sought for by young men, instead of having them bribed by large bounties to enter. He did not think the whole system could be brought into effect and full operation on the day after the passing of the Bill; but he did think that if they were to take advantage of a time of peace, they might improve the condition of the Army; they could attend to the moral training and the education of the men, so that those men should hereafter come out of the ranks well fitted for civil employment. He believed that they might soon attain a condition in which the State would be relieved from the expenses of paying high bounties; and if they allowed those men who chose to retire from the Army to go back to civil employments, well satisfied with the treatment they had received—if, after ten years service, they could send back into the community young men who had passed that time in the Army, with the habits of discipline and regularity which soldiers in the ranks acquired—if they could send such men back, trained, moreover, in good moral habits, and with good order instilled into their minds, how many additional recruits would it not send into the ranks? From such men, too, they would be enabled to select numbers who would be found most valuable in filling those branches of service, such as the prisons and the commissariat, that required trustworthy persons. But many reasons combined to show that a fair trial ought to be given to the plan which he had the honour to propose for their adoption. It was a system which would work well for the benefit of the Army at large; and he was quite sure credit would be given to him that he would not propose any such measure if he believed there existed any danger from it of injury in any way to that service, the interest of which, from what had been hitherto done by Her Majesty's Government, it would be judged they had most sincerely at heart. With the hope that the House would give its approbation to the principle of limited enlistment, in order that he might proceed to embody it in the Mutiny Act of the present year, he begged to move that the Bill which he had the honour to propose be read a second time.

Sir H. DOUGLAS rose to protest most strongly against this Bill. It was not, however, his intention to meet it by a direct negative, nor was he prepared with any Amendment. Her Majesty's Government assumes the responsibility of proposing this measure; the Commander-in-Chief, if he does not approve, acquiesces apparently; and he (Sir H. Douglas) felt that, under these circumstances, he will have done all that his duty imposes upon him, in thus recording his dissent, and requesting the permission of the House to state the reasons on which his objections are grounded. He lamented to see that restless spirit of change abroad, going about seeking what it could destroy. Laws, the wisest of all the commercial regulations of England, the basis of Britain's maritime power, are threatened, up stairs, with repeal or mutilation; and here we are engaged in tampering, as he thought, with the system and condition of an Army, in the highest state of efficiency—an Army, the most successful, the most victorious, the most renowned of any, in the times in which we have lived. He could not concur in what is stated in the preamble to this Bill, that it is expedient to limit the period of enlistment, as proposed. He thought it very inexpedient to do so. It was not called for by any necessity, professional, constitutional, political or economical. It was not justified by any experience, nor does it afford us any good grounds upon which to proceed. The first and greatest object is to provide for the Army, an abundant supply of able-bodied men, of a class which make the best soldiers. This we now have; the supply is in fact, greater than the demand. Had such an experiment been made twenty or thirty years ago, we might now have something to rely upon; but the aspect of the times is not favourable for making any such experiment. In the year ending March 1846, 11,420 men for cavalry and infantry were raised. The establishment of the Army has since been increased, and in the last year upwards of 24,000 men have been enlisted. In the last year, 1,441 men were enlisted for the artillery, and the establishment is complete. The late augmentation of 1,300 men will speedily be raised; and all this, as he had taken care to ascertain from the best authority, without an individual recruit having offered or stipulated for limited service, or making any objection to unlimited service. The British Army is complete in its establishment; in the most perfect state of efficiency—the discipline excellent—the moral and physical condition of the soldier improving—degrading punishments falling rapidly into disuse—education attended to—and the health and comfort of the troops meliorating—all this admitted by the right hon. the Secretary at War. His (Sir H. Douglas) negative propositions were, that this measure would not be advantageous to the soldier, nor to the class from which recruits are supplied, nor would it be beneficial to the service. It would be inconvenient and complicated in its working—extremely expensive for this insular and colonial empire—and it is very ill timed. Where then is the necessity for the measure? If, in the late protracted war, limited service had been the exclusive rule, that war could not have been conducted with the same vigour and success. But, if the measure were good, why should it not be carried out to the full extent? It was because there was a latent sense of danger somewhere, that this was not done; if so, it was inapplicable to the service, and ought not to be introduced at all. It had been said, that unlimited service was repugnant to the constitution, and derogatory to a free country; but his answer to that was, to refer to the annual Mutiny Act; and to observe that the Greek citizens served in the armies from the age of eighteen or twenty to forty; and at Rome, during the republic, the cavalry served ten, the infantry sixteen or twenty years. Then it was said, that unlimited service led to desertion. He did not hold that opinion; for he believed, and could show, that desertion was generally occasioned by some immediate cause, excitement, or dissatisfaction. At present six-tenths of our Army were made up of agricultural labourers—children of the soil; these were the best men in the service; and he did not believe that a limited period of enlistment would, of itself, induce better men to enter into it. Referring to the opinions which Dr. Jackson pronounced upon this subject, he certainly had made strong objections to an unlimited period of service as a general proposition, applied to Continental States. But his opinion had been erroneously adduced, to support the doctrine that a limited period of service was best suited to the service and circumstances of this empire. Dr. Jackson says, limited service would work advantageously in a country surrounded by hostile States, and liable to frequent invasions. A nation so circumstanced was bound, in self-defence, to train up all its male inhabitants to the use of arms; for how otherwise could they protect the integrity of their soil? But the authority of Dr. Jackson was clearly against applying any such system to the case of Great Britain; because he justly held, that the sea by which she is surrounded would protect her from invasion, so long as she preserved her naval superiority. The following is the passage to which he (Sir H. Douglas) alluded:—

> "Military service, limited or unlimited to time or place, bears a different character, and has a different value, according to differing conditions, in States or Kingdoms respectively. In States surrounded by other States which are hostile, or suspected of hostility, limited service, as serving to fill the country with men instructed in the use of arms, is in every point of view a desirable condition as a security against invasion. In this case, every native inhabitant is to be considered as a soldier; and, under the circumstances stated, he is a soldier trained and ready for defensive war at all times. In a country such as Great Britain, the approach to the shores of which will be difficult, if not impracticable, while the Navy maintains superiority at sea, and which is, moreover, guarded interiorly by a national and constitutional militia, the scheme of limited service, with a view to fill the country with men who had been trained to the use of arms, is comparatively little necessary as a measure of security; and, if not necessary on that account, the adoption of it is inconvenient on other accounts, particularly on account of service in foreign parts—a service which much encumbered the British military machinery. On this ground, perhaps, a stipulation as to the limit of service was not conceded to the British recruit until recent times, when, from urgent necessities, in want of voluntary materials, the scheme of temporary service was suggested as an expedient to lure the reluctant into the military ranks. It had some effect, but not much; the British peasant does not calculate or balance the difference of conditions with much care: he generally takes the direct bait. The condition of limited service did not, therefore, produce so great an accession to the strength of the army as was expected; and while it failed of the end that was contemplated, it became a cause of introducing a condition into the military ranks which tends to subvert the base of military organization; it thus did harm."

He (Sir H. Douglas) entirely concurred in this. Limited service, if not carried fully out to the whole Army, would make a dangerous discrimination; give great dissatisfaction to the old Army, and, if fully applied, disengage from the service a very large portion of the Army. It is now contended that it is derogatory to the character of a free man, to enlist in the Army for an unlimited period. But if the party himself enter into that contract voluntarily, and with a full knowledge of its operation and effect, who could contend that there was any violation of personal liberty in allowing him to form such an engagement? It seemed to him the reverse. Then, if the period of service be limited to short periods, and successions of soldiers thrown back upon the country, without recompense for past service, might not an outcry be raised that England would become a military nation; and would not this be fraught with danger? Was not this so treated in the discussions of 1778 on the Militia Bill? It was the opinion of the noble Duke who commanded our forces on the Continent during the most important part of the late war, that one old soldier was worth three young ones; that though soldiers might be well drilled at the depôts, and the utmost care devoted, and successfully devoted, to the training and preparation of recruits; yet that every man who had seen service, well knew, that they were not, under any circumstances, comparable to men who had gone through even one campaign. When it was proposed to bring home certain tried cavalry regiments, the Duke of Wellington remonstrated against the project, and declared that, however reduced in numerical strength those regiments might be, he still preferred them to any new levies. He should now, with the permission of the House, read an extract from a letter to the Duke of York, dated Cadiz, 26th December, 1812:—

> "Experience has shown us, in the Peninsula, that one soldier who has got through a campaign, is of more service than two, or even three, newly arrived from England; and this applies to the cavalry equally with every other description of troops. Under these circumstances, if it should meet with your Royal Highness's approbation, I should prefer to keep as many of the old regiments as I can with the army, reducing the establishments of those which could not mount more than two complete squadrons to that number, and to send home the officers and non-commissioned officers of the third squadron."

From the same high authority he begged to read the following extract:—

> "In proportion as the success of the army may clear the country of the enemy's troops, and the inland traffic will revive, we must expect the desertion of this useful class of people, unless we can pay them a part of what we owe them, and their future hire more regularly than we have that which they have earned heretofore. Any desertion of them is very inconvenient, and a very large desertion would be fatal to us. I likewise beg to

> draw your Lordship's attention to a new head of expense which has begun to occur, and only lately, that is, bounty on the re-enlistment of British soldiers. The demands on the military chest on this head alone, at this moment, are estimated at 800,000 dollars, which you are aware cannot be postponed without serious inconvenience to the service at large. Yet I am sure I do not know how I am to take the field the first week in May, and to defray this demand and all the others for Spanish and Portuguese service which exist on our military chest. I have brought this statement under your view, only because I hope, from what I have heard, that there exist now in England means of relieving our difficulties to a very great extent."

At that time, the pay of the army was six and eight months in arrear, and the hire of the muleteers was twenty-six. Now, he did not hesitate to say that if the great body of the British Army had been enlisted for a limited period, the expense and inconvenience would have been such that the war would not have been prosecuted with that vigour and sustained force, which brought it to so glorious a termination. He therefore implored the Government before it became too late, to reflect upon the probable consequences of the course which they proposed to pursue. Did Her Majesty's Government propose to extend this to the sappers and miners, and to the marines? If so, it would prove prejudicial, in the highest degree, to those corps, as indeed it would prove disastrous to the artillery corps in particular. Before he proceeded to one or two other topics, which he intended to notice, he should beg to call the attention of the House to one more extract from the despatches of the Duke of Wellington:—

> "A great number of soldiers of this army having offered to re-enlist (the period of their service being nearly expired), since the proclamation of his Royal Highness the Prince Regent was made known to them, I beg to be informed if they are to be re-enlisted before the expiration of the three years which, by the proclamation they are bound to serve. I take this opportunity of transmitting to you a list of men in the Chasseurs Britanniques who have either completed their period of service, or are within two months of it, and who, as it appears by the enclosed letter from Major General Inglis, were enlisted without reference to any Act of Parliament as to their re-enlistment. I am, therefore, of opinion, that they ought to be discharged; and I will thank you to favour me with his Royal Highness the Commander-in-Chief's orders on the subject."

If, as a consequence of this measure, colonial corps are to be raised, to be substituted for regiments of the line, for the defence of the colonies, to obviate the manifest objection of the inconvenience and expense that must result from the incessant changes, transfers, and reliefs under the proposed system, he thought this alternative the strongest objection, and the most convincing proof of the danger of the experiment. He protested against the perilous project of leaving the defence of the colonies, in any great degree, to colonial corps. It would be another step to separation, or loss. He had a very high opinion of some colonial corps, and thought these very serviceable in all colonies; but all sedentary corps deteriorate in the long run; and, without disparagement, he might say, that, upon political grounds, it would not be safe to resort more largely to colonial corps, for the defence of the outward possessions of the empire. No person could be more desirous than he, of opening, more widely, a career to colonists, in the military profession; and this, he thought, had been very imperfectly done. But whilst he had no objection to colonial corps to a limited extent, he thought it would be a wiser policy to encourage, unite, and mingle colonists, in the forces and establishments of the empire, in common with other British subjects; and that this would do more to unite and cement the bonds of empire, than can well be imagined. We have reduced very largely — far too largely — the establishment of British troops, in some of the colonies. It will be too late to strengthen them, when the centre of the empire is suddenly attacked. The security of the empire depends, not only upon the means of pure, absolute defence, possessed by each colony singly, but upon active mutual defence, with disposable forces, by which one colony or possession may assist another; and this can only be effected by troops of the line. When have we lost a colony? How shall we best preserve them? By enabling them to succour and support each other. It is the number and dispersion of these maritime and military stations, if adequately garrisoned, that gives security to British commerce, and stability to the British empire. It is because they are remote, that she is not vulnerable through any, or either. It is because they are distant from each other, that Britain, by command of the seas, can protect them with the disposable forces of the empire; and that they cannot be reduced, by any adversary. To blockade them is impossible, so long as we retain the command of the seas. To attack them, impracticable; to reduce them, hopeless. But, divest them of the means of mutual defence, by withdrawing the disposable forces of the empire, entrusting their custody and defence in great part to sedentary corps, and you will be in a fair way of losing your possessions by thus tampering with the Army. As to combining the laborious undertakings of a settler with the habits and duties of a retired soldier, the attempt has often been tried, and as often proved unsuccessful. He had witnessed many sad proofs, seen painful monuments, of this; and he very much feared that this is a part of the measure which will not prove more successful. With respect to New Zealand, he would venture to advise Her Majesty's Government, not to rely on the experiment about to be made there, so far as to diminish, by one man, the regular force which it may have been intended to send thither. Entertaining this opinion, he could not forbear to adduce a very pertinent and able passage, which he found in a recent number of a very able periodical:—

> "If the pensioners became good settlers, they would form a better militia than settlers who had not been soldiers; but the 'if' is all in all. They will not become good settlers. Transplanted into a position for which they are pre-eminently unfit —in which the hopes of prosperity that have been held out to them are sure to be disappointed—in which their inevitable lot will be failure, poverty, and the contempt or dislike of their neighbours—those of them who do not die of despondency and drink, will in a few years become feeble vagabonds and beggars; far less valuable for purposes of defence than the citizen soldiers composing a colonial militia, who have to fight for happy homes and a hard-won prosperity."

In amending the laws and regulations for improving the military service, to attract to its ranks a better description of men, the great object should be, to induce the good soldiers to remain in the service, and to enable us to get rid of the bad. The effect of this Bill will be the reverse. No inducement is held out to the good soldier to remain, neither by reward at the end of his first period, nor by bounty on re-enlistment, nor by any reasonable or adequate provision, even at the end of the most protracted service. For, as to the deferred pension of 6*d*. a day to a soldier who, having first served ten years without recompence, shall thereafter perform twenty years' services with old pensioners, as proposed, when he shall have attained to fifty years of age, you might just as well tell him, that having taken the best ten years' service out of him, and enrolled him for twenty-one years more, you would engage in the end to pay his funeral expenses. The House might rest assured that no advantage would accrue to the service from this measure. That, without inducements of a pecuniary description, it will not attract to the service a superior description of men. That it will not be popular, and that do what you like with respect to the period of service, you will not render the service attractive, but by pecuniary reward and provision for old age. Restore the pension to what it was—revise your warrants—encourage the good soldier to remain in the service by the certainty of an adequate provision for him in his old age—continue to attend to his comfort, his physical, moral, and intellectual well-being, as you are now doing—lessen the rigour of foreign service, by more frequent reliefs, which can only be done by an increase of the military establishments; and you will do more to improve the composition, condition, and character of the service, and so make it attractive, than by any abridgment or limitation in the period of engagement; and nothing that you can do in this respect will avail, unless you do this. But this plan is the reverse; the great object of the measure, disguise it as you may, is, to get down the pension list: for this no inducement is held out to soldiers to re-enlist after ten years, neither by bounty, increased pension, nor by improved provision. He is, on the contrary, to be allured away from the active service; but by a prospect so remote, a provision so inadequate and really so pitiful, that it will neither attract better subjects to the Army, nor induce good men to remain in the active service. He would repeat, the Army is in a state of the most perfect efficiency; and the best guarantee the country can have, that it will be maintained in that high condition, is, to leave it to the management of that eminent man to whom, and his able and experienced assistant, it is confided—to that illustrious Commander, who formed and fashioned it to his great purpose, and who had led it in his brilliant career, from victory to victory, in that most righteous and retributive war, in which he laid prostrate that iron yoke under which for so many years Europe groaned. The time taken to try this experiment — for experiment it must be called—is most unfavourable and inauspicious. The effect of this Bill would be to make a dangerous change in the whole system of the Army; and it would prove detrimental to the public service.

COLONEL REID had listened with profound attention to the statement of the right hon. Gentleman (Mr. F. Maule), and no one could possibly have a stronger conviction of the necessity for those benefits to the soldier which it was sought to accomplish. By improving the composition of the Army, he believed great results would be obtained, and we should draw nearer the period when it would be safe for the Legislature to abolish a species of punishment odious to the public, and unfairly injurious to the reputation of the service. At the same time he was not prepared to support a measure which he believed would be injurious to the discipline and efficiency of the Army, merely for the sake of conciliating a party in that House, who, in declaiming against the punishment referred to, were, no doubt, impelled by good feelings, but who did not possess one particle of practical knowledge. He objected to the measure on many grounds. He objected to it, first, because it would not accomplish the objects for which it was intended; next, because it was wholly unnecessary, and seriously injurious to the discipline of the Army; also because he thought it would impair and weaken the physical efficiency of the Army; and lastly, because it would produce discontent and jealousy in the breasts of soldiers who had enlisted for unlimited service. A measure precisely similar had been introduced by Mr. Wyndham, and it had not succeeded: it was very soon discovered by the civil as well as the military authorities, that it was likely to be injurious; and it was abandoned. At that time, in order to counteract the evils which were foreseen, the authorities were obliged to offer enormous premiums to induce men to enter the service for longer periods. A regulation similar to that of Lord Hardinge, giving facilities for discharge at any period of service, would render this plan unnecessary. Military discipline was of enormous importance. To the steady discipline of the Army this country owed much of its present power and greatness; and he reminded the House of a celebrated passage in one of the Duke of Wellington's despatches, where he said, speaking of a great battle, "I felt that I had my men in my hand; they performed every movement with the precision of a field day." It was a fundamental principle of discipline, that a commanding officer should have full and entire authority over his men; but by enabling them to claim or demand their discharge at a given period, the commanding officer was divested of the control he ought to possess. This was a principle which had been recognised by the greatest military authorities in the country, and in the various warrants of successive Secretaries at War. Thus one right hon. Gentleman in that department said, in a warrant, "A soldier enlisted for unlimited service has no claim for discharge either with or without a pension;" and the right hon. Baronet the President of the Board of Control (Sir J. C. Hobhouse), when Secretary at War, in 1833, said in one of his warrants, "A soldier enlisted for unlimited service cannot obtain his discharge as a matter of right; but his discharge will be granted as an indulgence upon certain conditions." He maintained that the discretionary power of granting discharges was essential to the efficiency of every commanding officer. There were men in the ranks who felt the necessity of obedience; but on the other hand there were others ill-disposed, of ungovernable temper, and sullen. A commanding officer had thus to deal with all sorts, and it was necessary he should be armed with the most stringent power over his men to ensure proper discipline. But this measure would deprive him of the most valuable power he possessed. In the Household Brigade—a regiment which he had had the honour to command—the commanding officer had from time immemorial possessed the power of granting discharges—a power most valuable in supporting discipline, for it was the power of rewarding the good soldier, and of punishing the bad. In many cases parents had written to him soliciting the discharge of their sons, who were serving under his orders. He invariably inquired into all applications of this nature. He first ascertained the character of the man in the regiment; next, whether the petition was certified by the clergyman of the parish whence it came, or by some other person of known respectability; and when he was satisfied the application was a proper one for him to entertain, he gave the man his discharge. Under the proposed system, a great number of men would be lost to the Army in a comparatively short period, and, in fact, after the lapse of ten years a whole regiment might be renewed, the tendency being thus to produce an army of boys. He had once had an opportunity of witnessing the exploits of an army of boys at the siege of Antwerp, of which he had been a spectator. He believed that two-thirds of the French army before Antwerp who lined the trenches were not more than 24 years of age. The Dutch made but two sallies during the operations of that cold-blooded and disgusting siege; and the boys to whom they were opposed were panic-struck by those sallies, and ran away as fast as they could, leaving a small party of Dutchmen to upset the works which it took a fortnight to make. The most efficient men in an army were those of ten or twelve years service; and it was important that they should endeavour to retain old soldiers of good character, who were calculated by their example in barracks to maintain a good state of discipline. There was one way in which the character of the soldier might be greatly raised—and it was in his opinion the best way—namely, by raising the rate of pensions, which would be a very great inducement to men to enlist in our Army. If we adopted the theory of Mr. Windham as to limited periods of service, he was of opinion that we ought also to adopt his plan as regarded the increase of pensions. The pensions paid at present to soldiers were most discreditable to the system. What were they? The man who served faithfully for twenty-four years received, when he was worn out and no longer fit for service or for other employment, sixpence per day; and the non-commissioned officer, at the expiration of his period of service, received eightpence. It was true there was the good-conduct pay, but that was not part of the pension, and must have been earned before by the soldier. He hoped and trusted that this part of the subject would receive the attention of the Government, for it was one which was most important as regarded the condition of the Army. He would venture to suggest an arrangement which he thought would be found satisfactory—he would suggest that the pension of the soldier should be ninepence per day, and the pension of the non-commissioned officer one shilling a day, at the end of their periods of service; and he would also propose that the good-conduct pay should be added to this when the person becoming entitled to a pension was also entitled to good-conduct pay, with power to add twopence a day at the end of five years service of the non-commissioned officer, at the end of his service, with a minimum of one shilling a day, and that would make the pensions approach somewhat near the scale proposed by Mr. Windham. He thought that the measure before the House was calculated to be looked on with jealousy, and he would earnestly suggest that the true way of improving the condition of the soldier would be to raise the pensions contemporaneously with the introduction of the measure. The only way, in his opinion, to reconcile the Army to the measure was to raise the pension to the Army generally. There was another safe and good way of improving the Army, namely, by improving the social and moral condition of the soldier. Much had been done of late years to improve the moral character of the soldier, amongst which the rewards for good conduct were to be included; but they ought to provide the soldier with proper comforts and with the decencies of life; they ought to make the soldier feel, by their treatment of him, that his country esteemed him and valued his services. It could not be forgotten that much of the grandeur and power of this vast empire had been gained by the valour and intrepidity of the British soldier; nor should it be forgotten that the health of the British soldier was frequently undermined by the vicissitudes of climates to which he was exposed, and by the trying duties which he was called upon to perform at all seasons and all hours; and recollecting those claims upon the country, he thought that the conduct of the Legislature ought not only to be just, but generous, when providing for the condition of the Army. He would briefly allude to the officers of the Army, upon whose conduct and example so much of the efficiency of our soldiers depended. He could bear the testimony of his experience to the kind and generous manner in which the officers of the British Army had always exerted themselves in proposing the good of the men. They were always happy to co-operate with the commanding officer in carrying out arrangements to promote the good of the soldier, and were always ready to promote the amusements of the men under them. He had given his views of the measure; but as he supposed it had received the sanction of the Commander-in-Chief he would not vote against it.

SIR DE L. EVANS said, the proposal of Mr. Wyndham was for seven years' service. At present our term of service was for twenty-one years; but all the other Powers of Europe raised their army for eight or nine years; and the Bill proposed a term of two or three years more than those other Powers had found necessary. It was a mistake to suppose the Bill would affect the whole Army. There were 30,000 men in India, the greater part of whom volunteered into other regiments when their own were ordered home. They would not be affected by the Bill; and the probability was, that if the men at home were in good quarters, and found their comforts well attended to, they would not desire to avail themselves of the ten years' service clause. He had so little fear on this score, that he wished to see the Bill come into operation immediately. There remained only 35,000 men in the colonies, who might avail themselves of the operation of the Bill. But in two of our colonial settlements we were at war—in the Cape of Good Hope and at New Zealand; and the term of service of these troops could consequently be prolonged for two years. He considered it no disgrace that the young French troops at Antwerp were driven out of their trenches. Their own veteran troops at St. Sebastian were frequently driven out of the trenches by the French; and the best men of both armies occasionally took to their heels in trenches. He believed that young regiments after three or four years were as good as any regiments they could get, perhaps better. They had it on the high authority of Major General Napier, that three years' military service were sufficient to perfect a soldier; and under the present Bill the term might be prolonged to twelve. The hon. and gallant Member for Windsor said that one-eighth of every regiment would have the power of retiring every year; but he must remember, that the number of deaths and of invalided men would not be so great as under a period of unlimited service. The hon. and gallant Member for Liverpool (Sir H. Douglas) had stated that he almost despaired of our having a well-conducted Army, because the whole mass of the population of this country was greatly demoralised. [Sir H. Douglas had said that great immorality prevailed among the people.] The hon. and gallant Member had alluded to the conduct of the English troops in the field during the last war; but, if they referred to the despatches of the noble Duke who commanded the British Army, they would see what his estimate was of the morality and regularity of the soldiers. That noble Duke said, there was no army in Europe better capable of fighting; but it appeared from the noble Duke's despatches that no language could be too strong to describe their immoral and improper conduct. The hon. and gallant Officer (Sir H. Douglas) seemed to suppose that that Army was efficient in all its parts; but the very reverse was the case. Two-fifths of the troops were constantly in the hospital; and the noble Duke in some of his despatches said, that the Army was little better than a moving hospital, owing to the irregularity and dissipation in which the men indulged. The noble Duke added, that he could not send out a detachment with any security that they would not rob, assassinate, and commit the most disgraceful outrages; and he believed the noble Duke went so far, in one instance, as to call them a band of robbers. He would ask, then, whether they ought not to endeavour to improve the condition of an Army of which such a description was given? And the best opportunity for effecting that improvement was afforded in a time of peace. The Army was, no doubt, in a very efficient state at present; but if they were taken into the field, he believed many imperfections would be discovered, although they might not exhibit the same extent of demoralisation which had prevailed in the Peninsular Army, in consequence of the improvement which had taken place in the moral character of the great mass of the population. It was clear, however, that unless they rendered the service more popular, they could only expect to get the worst portion of the population, whether from towns or from the rural districts, to enlist. He had entertained some hope that greater reliance might have been placed upon a system of voluntary enlistment, without resorting to bounties, or depending upon the artifices and seductions of recruiting sergeants for filling the ranks of the Army. He was surprised at the attack which had been made upon this Bill, because it had been admitted that the Commander-in-Chief of the Army acquiesced in it; and no one acquainted with that noble Duke could for a moment suppose that he would give his assent to a measure of which he did not approve. He considered that no argument had been brought forward to prove that a system of unlimited service, or of service for twenty-one years, had been in any degree the cause of our success in the last war; and he was satisfied that if it were wished to improve the character of the Army, they must do all in their power to render the service more popular among the people generally. He thought it was extremely desirable that an intimation should be given that the Government were disposed to allow the Bill to come into operation immediately on its being sanctioned by Parliament, and to give a certain proportion of men the option of retiring from the service on the recommendation of commanding officers. The hon. and gallant Member for Liverpool seemed to think that he, as the representative of a popular constituency, would be likely to lose their favour by supporting any proposition for training the people to arms; but he believed that the people were desirous of such a measure, and that they would approve of the establishment of a national guard.

Colonel T. WOOD thought the hon. and gallant Member who had last spoken, had given an unfair representation of the Army in which he had served when he described it as a moving hospital; for he found that an impartial French author, M. C. Dupin, said, that while the French Army, during the last war, required an annual supply of 150,000 men to keep it in an effective condition, the English Army needed only 23,000 men every year, who not only sufficed to supply all losses, but increased the effective strength of the forces by about 7,000 men. The same author stated that when the endeavours of the English Government to supply all the wants of the soldiers, and the prudence of the commanders in not requiring the men to perform too fatiguing duties, were considered, there was no cause for surprise at the comparatively slight losses sustained by the British Army during the war. He was surprised that the Secretary at War, in proposing the measure, had not given them any data with reference to the recruiting service or to pensions. He thought it was essential that any measure they might adopt on this subject, should be of a permanent nature; but he did not consider that this measure was at all likely to be permanent. It appeared to him, indeed, to be a compromise between two principles; and if he were asked whether he would prefer to have the British Army conducted upon Mr. Windham's plan, or upon that of the present Secretary at War, he would at once declare himself in favour of Mr. Windham's plan. He wished to know what hold the Secretary at War expected to have upon those men who quitted the Army, and who were entitled to deferred pensions? They would be scattered over the whole country, and many of them would, no doubt, obtain lucrative employment. If it should be necessary to issue a warrant to call out the pensioners for service, these men might be unwilling to leave their employments for the shilling a day which they would receive while they were on duty: and what would be the penalty for refusal? They would only lose the deferred pension of 6*d.* a day, which no man could receive till he was 50 years of age. He thought that the Government would be compelled to revise the system of pensions, for it was most improbable, when a soldier arrived at a period of life when his services were most valuable, that he would re-enlist unless some additional inducements in the way of pay and pension were held out to him. He was surprised that the Secretary at War had not made any statement to the House with reference to recruiting. The right hon. Gentleman had not even explained the number of men who would be required each year to fill up the vacancies occasioned under his plan. He believed that the number of recruits required under the right hon. Gentleman's plan would be from 10,000 to 15,000 annually. The Government might suppose that they would have no difficulty in raising this number of men; but experience only could show whether their expectations were well founded.

Colonel LINDSAY did not believe that this measure held out sufficient inducement for a man to re-engage in the Army at the expiration of his first period of service, nor did he believe that it would at all remove the causes which led to the frequent cases of desertion which happened under the present system. He admitted that there was a feeling prevalent in the Army, he would not say of discontent, but a feeling that the period of service was too long—and that the pension was too small. The warrant which was issued in 1833, provided that soldiers of good character, having served twenty-five years in the infantry, or twenty-eight in the cavalry, might, at their own request, obtain their discharge and a pension, not of 6*d.* a day, but a pension not exceeding 6*d.* a day. This had filled the minds of the soldiers with distrust as to the intentions of the Government, as they were not certain whether they would get the full amount of the pension promised or not. There was, also, much ignorance prevailing as to the terms of service, so that it was difficult to persuade men that after a certain period of service they might obtain their discharge; and he therefore ventured to think that if some method were adopted of making the terms of enlistment better known to the public, they would accomplish great service. If the right hon. Gentleman, too, would also draw out his warrants, not in that twist-about sort of way which was used by legal gentlemen, but in a plain manner which soldiers could understand, it would be productive of much good. A great deal had been said about obtaining a better sort of men; but he thought that was rather theoretical. What did they mean by a better class? If they meant the half-gentlemen class, he must say that he would give no price for them whatever. He had no objection to their obtaining a better class of agriculturists or of operatives; but as to obtaining half-gentlemen or broken-down tradesmen, he thought the Army would not be benefited by obtaining their services. At the same time, he thought that the improved education of the country, with the severity of discipline in the British Army, which must be kept, because they could not afford that waste which might be tolerated in foreign armies where their ranks were supplied by conscription—these considerations, together with the high amount of pay in the police force, and the demand for labourers on railways, would operate to prevent their attaining a better class of soldiers than existed at present. He thought stronger inducements ought to be held out to induce re-enlistment; and if they were to give a man who had served them well for twenty-five years a pension of 10*d*. or 1*s*. a day, he would become a useful coadjutor to their scheme, as people would see that he was happy and comfortable living upon the pension, and many young men around him would be ambitious of following his example, and would enter into the service.

Colonel SIBTHORP said, the present appeared to be a time to alter everything, and to make a total change in the whole system. They had attacked the Church, they had attacked the law, they had attacked physic. All professions were undergoing a change; and even that assembly had changed, and was become the pure and reformed House of Commons, which could do nothing wrong. And what was the consequence? Were they more happy or more contented? Look to the state of Ireland, of Scotland, and of England, and they would see that it was the melancholy reverse. He thought the past services of the Army were sufficient to tell the country that it wanted no change—it was invincible—it was the envy and admiration of all surrounding countries—it wanted no change whatever. And who brought forward this change? He did not mean to say one word against the right hon. Gentleman the present Secretary at War; but he knew there was a Secretary at War, now in another place, who scarcely knew the muzzle of a musket from its butt-end. He certainly was surprised to hear the right hon. Secretary speak as he had done of the unhappy men who were in the service. Now, he had served for sixteen years in Her Majesty's Dragoons before he came into this refined society, and he must say that he had met as good men there as he had ever met since, men of as high manners and of as pleasant society. He certainly was not detained there listening to long speeches, which he often wished he had not sat so long to hear; where, if he came in unlearned, he went out again ten times more unlearned than before. Then the right hon. Gentleman said he was not surprised that, under such circumstances, the men deserted. But he was. He was surprised, and he deeply regretted, that men who had once entered the service, should afterwards be induced to violate their oaths and desert the service. He had heard with the greatest delight what fell from the gallant and distinguished Officer the Member for Liverpool, who implored the right hon. Gentleman, from his own experience—and experience ought to make some people wise—to be cautious how he passed this measure. He had heard with the greatest delight what fell from the hon. and gallant Officer, and he coincided in every word he said; and therefore he would not detain the House any longer with any observations of his own.

Major LAYARD felt a deep interest in this subject, because from his first entering into the service, he felt that the bargain made between the country and the soldier was an unjust one; and he had determined, if ever he was in a position to bring about an alteration in that bargain, he would undertake the task. He was willing to make every allowance for the experience and long service of the hon. and gallant Member for Liverpool; but there were authorities as high as that of the gallant Officer, who were in favour of this measure. He might instance, among these, Lord Hardinge, who, when Secretary at War, stated in 1842—at which time he (Major Layard) had brought in a Bill on the subject—that the matter was well worthy the attention of Government. The Government did give their attention to it—the Secretary at War under the late Government took a step in advance; and the present Government had expressed their sentiments by the present measure. He might also refer to the Military Commission, where they found such old experienced officers as Gen. Colin Campbell and Lord Lynedoch expressing their opinions in favour of limited enlistment. The House had been told of the probable difficulties in case of a long war; but no such difficulty was found to exist in the Continental armies, where enlistment was not for life; Austria had recently reduced the period from fifteen years to as low as eight. It was said, that the system now proposed to Parliament would be more expensive than that which at present existed: he begged to differ from that statement, though he did not rest his support of the measure on any desire for shabby economy. Then, again, it was said, that the Army was in a very happy state, and ought to be left as it was; but he would reply by pointing to 28,000 men in gaol in three years, and 3,500 men undergoing corporal punishment, and 8,000 deserting. Because the men dared not complain and petition, they were said to be happy! It was urged, too, that this was not the time for such a measure as the present; whereas it was always the right time to do justice. The hon. and gallant Officer opposite (Sir H. Douglas) might have seen that the matter could not rest with the change made by the late Government, and he should have opposed that, and not have waited till now to talk about "destroying the British Army." He believed the discipline of the Army would be greatly benefited by limited enlistment, and he was therefore anxious to do all in his power to promote it. It was said the young men would run away. Why, a great number of the regiment to which he belonged were young men, scarcely more than twenty-one in 1815; they were, in fact, considered too young for colonial service, but at the spur of the moment were sent to Waterloo. He should like to know if any of the "boys" ran away there. He believed not. A story was once told him of a soldier who was ordered to be imprisoned for some offence. The colonel of the regiment was asked for how long a period the man was to be imprisoned? whereupon the colonel replied, "For life." "That can't be," said the soldier, "for I was only enlisted for seven years." In 1842, if a man had asked him whether or no he should have enlisted in the Army, he should have felt bound to tell him of the disadvantages under which he would have laboured—that his fire-arms were bad—that he might be sent to India for twenty-four years, and that it was fifty to one if he ever returned—that he might be sent for a long period to those of our colonies where the mortality was immense, 21,421 of our soldiery having died in the Leeward Islands and Jamaica since 1817—that they were obliged to live on salt provisions five days in the week—that the old soldier who fought gallantly in the Peninsula got no medal or other mark of distinction—that five per cent of their hard-earned pension was deducted from them—that the number of those subjected to corporal punishment in three years was 4,000—that if he enlisted he was bound for life—and that, in short, there was little to sweeten the hard lot of the common soldier. He thought that under such circumstances it would be hard to induce any man of common sense to take the shilling. He did not stand there to make the soldier discontented. On the contrary, he was now proud to say that he could honestly give the man desirous to enlist a very different advice from that which he could conscientiously have given in 1842. He would now exhort him to enlist. The Army had now good muskets put into their hands; they never missed fire, and very seldom missed the target, which perhaps it might be useful for the enemy to know. The places in which soldiers were now confined for offences were not the squalid, damp, wretched dungeons they used to be, but places in which a man's health would be no longer injured, and from which it might be earnestly hoped he would come a better man. There were now also savings' banks, into which they might put their savings, and there were besides rewards for good conduct; whereas formerly, flogging was so customary that it brutalised men and hardened them in crime; but it was now a very rare occurrence. Besides this, through the liberality of the present Chancellor of the Exchequer, there was no longer the miserable deduction of 5 per cent from the pensioner; and, in short, as the present Bill attested, the Government were anxious to do all in their power to better the condition of the common soldier. There was one point to which he felt it his duty to refer on the present occasion. It had been said that the promotion at the Horse Guards was a one-sided promotion; and he must say that that was a view held by very influential parties, and one in which he perfectly concurred. In 1842, the noble Lord now at the head of the Government put a question to the right hon. Gentleman (Sir R. Peel) with reference to the Duke of Wellington, a Cabinet Minister, being Commander-in-Chief; and on that occasion he quoted some remarks which had fallen from the noble Duke himself, in which he (the noble Duke) had distinctly stated that the office of a Commander-in-Chief and Cabinet Minister ought not to be held by the same individual. The right hon. Gentleman (Sir R. Peel), in answering the question, said, it was thought necessary that the Duke of Wellington, though Commander-in-Chief, should be a Cabinet Minister, but that this would make no difference as to promotions. Now, he (Major Layard) thought it had made a difference. There were many officers who maintained principles which till lately had not many supporters in the Army; and they all knew how few officers on that side of the House had got promotion. He believed that he himself was the only officer, with the exception of the noble Lord the Member for Lichfield, on that (the Government) side of the House who was on full pay. Gentlemen had asked, why, in these circumstances, officers did not leave the Army? But that was not a course which any person would choose to follow, though much dissatisfaction might be experienced. When he saw, for example, a man of the same standing with himself receiving promotion while he was still a captain— [*Laughter.*] Gentlemen laughed; but he wanted to know why, if a man did his duty, he had not a right to expect that promotion would be open to him? He wanted to know if a man on that side of the House had been twenty-four years in the service, and one on the opposite side only half that time, why the former should not be first entitled to promotion? He could tell the House that when he brought forward his proposals for military reform, Gentlemen often said to him that they would give him their support, but that they had sons or brothers in the service, and that their doing so would militate against them. Now, he maintained, that officers deserving of promotion ought to obtain it whether they voted for or against the Government. It had been said that the Whigs had done nothing for the Army. He denied it. The Whigs had done more for the Army this Session than any previous Government had done for years. The hon. Member then read a letter from a private soldier, who said he was afraid to state his name. ["Oh, oh!"] Yes, it was a fact. Soldiers were afraid to state their names; for, although most commanding officers would not take any unfair advantage of a soldier who had freely expressed his opinions, it could not be denied that there were some who would; and the fact was, they dared not mention their names. The letter was in favour of limited enlistment. Some regulations ought to be made regarding the social comfort of the soldier. They ought not to be debarred from marrying, neither ought they to be prevented from taking their wives and children with them. The parting between the soldier and his family, when he was ordered on foreign service, was heart-rending; and many hon. Members whom he now addressed, must have frequently witnessed such scenes with pain. Respecting the subject of education, he wished to see more efficient measures taken than now existed; for the soldier had sometimes contributed towards the advancement of literature. He saw the right hon. and gallant Gentleman opposite, the Recorder of Dublin, laughing. [Mr. SHAW: Not gallant.] If not gallant, he hoped at least grateful. Now, he should like to ask that right hon. Gentleman, who founded the Dublin Library? [Mr. SHAW: What has that to do with the matter?] He would tell the right hon. Gentleman. Was the right hon. Gentleman the Member for the University of Dublin actually ignorant of who was the founder of the Dublin Library? A party of soldiers, in the reign of Queen Elizabeth, having routed a party of Spanish volunteers at the battle of Kinsale, subscribed 1,800*l.*, which they did not apply to the sculptured marble or engraven brass; but they sent it to Archbishop Usher, who with that gift founded the Dublin Library, of which the learned Recorder knew nothing. The hon. and gallant Officer concluded by saying that he gave his cordial assent to the second reading of the Bill. The Government had begun well, but he hoped they would yet go on and go further.

Bill read a second time.

MORTALITY (IRELAND)—DEFECTIVE RETURNS.

On the Order of the Day being read, that the House go into Committee on this Bill,

LORD G. BENTINCK said: Sir, I take this opportunity of calling the attention of the House and the Government to a statement which was made a few nights ago by the right hon. Gentleman the Secretary for

Ireland, in answer to a Motion I made for returns of the number of deaths in Ireland. It will be in the recollection of the House, that upon that occasion the right hon. Gentleman stated that he had no power to get correct returns in Ireland of the number of deaths that took place there, inasmuch as no such returns were made. It seems that the right hon. Gentleman was entirely mistaken on that head, for I have received various letters from clergymen in Ireland, who state that not only is this statement contrary to the fact, but that Protestant clergymen are obliged to keep a registry of the number of burials that take place, and on the 25th of March in each year to furnish to the register of the diocese accurate Parliamentary returns of the number of burials and marriages which take place in their respective churches and churchyards. In fact, this is part of the canon law that they should do so. I will not weary the House by reading many letters, but I think it is only right to read the following, which is from the rev. John C. Archdall, rector of Newtown Barry, in the county of Wexford, and honorary secretary to the relief committee there. The rev. gentleman likewise enclosed to me a form of the registry.

"The Parsonage, Newtown Barry, County Wexford, Ireland, March 17, 1847.

"My Lord—I have read with surprise the following statement of Mr. Labouchere, in answer to your Motion for a return of deaths in Ireland:—

"'Neither the Protestant nor the Roman Catholic clergyman was required to keep any list of the deaths which occurred in his parish; and if any clergyman should be found to have done it, the object would be found to be for some purpose of his own. Why were they to think that such registers were generally kept by the clergy in Ireland?'

"Now, my Lord, Mr. Labouchere should have known that the clergy of the Church of Ireland obey the law, and that by one of the canons they are obliged to return on every 25th of March an accurate copy of the parish registry, of the baptisms, marriages, and deaths, to the registrar of the diocese; and the bishops regularly and periodically see that the duty is performed, and parchment books are furnished by the Ecclesiastical Commissioners to every clergyman, and uniformity in the registry adopted in every parish in Ireland. The difficulty is to find a clergyman who has neglected it.

"In this parish, where every care has been taken to provide labour, and much benevolence exerted, the mortality has been, on a comparison with the two preceding years, nearly fourfold:—

From 15th September to 15th March.			Deaths.
1844	„	1845 . . .	6
1845	„	1846 . . .	5
1845	„	1847 . . .	23

"I believe the increase this year has arisen more from an insufficiency than actual want of food. I know nothing of the mode of registry adopted by the Roman Catholic clergy; but I am confident, from my own observation, that the deaths have been more than threefold. A peculiar feature this year is, that the burials follow the day of death, a thing hitherto unknown in Ireland. You are at liberty to use this information as you please."

I have another letter from the county Galway, which runs thus:—

"Headford, County Galway, March 16, 1847.

"My Lord—In reference to your Lordship's Motion for a return of the deaths in Ireland for the three periods of six months each, from the 1st of September to 1st of March, from 1844 to 1847 inclusive, your Lordship will, I trust, permit me respectfully to suggest a mode of obtaining a faithful statement, which has most unaccountably been overlooked. In Ireland, it is quite true, as Mr. Labouchere has stated, that the parochial clergy keep no register of these matters; the Roman Catholic pauper population are in nineteen cases out of twenty consigned to the grave without even a funeral service, for in that communion when the rites of the Church for the sick and dying have been observed, but little stress is laid on the former one; indeed it would be perfectly impossible for the Roman Catholic clergy, in populous and scattered parishes, to perform this ceremony in every case, in seasons of epidemic visitations attended like the present with unusual mortality; for instance, we had in this union (of parishes) the other day sixteen bodies waiting for interment. With their other very heavy duties at this trying period, two clergymen could not possibly have performed the burial service over each in one day at different graveyards.

"There is a class of men in Ireland, amounting to some eight hundred, and to which there is nothing exactly similar in England; I allude to the medical officers of dispensaries. I believe there are but few nooks and corners in the land to which their labours do not extend, and with which, in their several localities, they are not intimately well acquainted. I should say that it was more particularly within their province to furnish the information which your Lordship seeks than in any other; and though it is quite true that no compulsory power exists with Government or elsewhere to oblige them to undertake this office, I am perfectly sure there is not one man among them who would not cheerfully take the trouble of the inquiry, and be flattered by being made the means of putting your Lordship into possession of the necessary information.

"The officers of the Irish medical charities, I may be allowed to say, have no great reason to be forward in volunteering their services, for while the ingenuity and research of the Government and their subordinates in the constitution of the relief committees have evidently been taxed to collect, without risk of omission, all parties throughout the country in any way entitled to confidence and respect to discharge this duty, physicians and surgeons alone are excluded. Gentry, clergy, justices, poor-law guardians, and highest ratepayers, with a staff of military and naval overseers, are relied on; while the surgeons of infirmaries, and the physicians of dispensaries and fever hospitals and poorhouses are considered unfit. The profession in Ireland, which as a body claims an equal respectability with any of the other learned professions in this or any other country, certainly considered this omission as a studied slight (to use no stronger expression), and with how much justice, I leave to your Lordship to judge. We do not seek either Government patronage or pay; we do not require at their hands that any undue prominence should be awarded us, in helping to work out their measures for the relief of our suffering country; but we do feel that, closely connected as we are with the sick and destitute, and possessed of the information which the nature of our duties force upon us, the studied rejection of our services upon the present pressing occasion for the co-operation of an educated and respectable body of men, is most remarkable and unaccountable.

"I have the honour to remain with great respect, and with gratitude for your Lordship's talented exertions for the good of our country and people, your Lordship's most obedient humble servant,

"WILLIAM SWAYNE LITTLE, M.D.,
"Trinity College, Dublin, L.R.C.S. Ireland,
Physician to Headford Dispensary.

"P.S. We have on three or four occasions latterly had official letters of inquiry on subjects connected with our public duties from this and that commission; a similar requisition in the form of a printed circular, either to the physicians themselves or to the secretaries of the institutions they conduct, would be at once attended to."

I have received another letter from Mr. Henry Blake, of Clifden, on this subject:—

"Renvyll, Clifden, March 15, 1847.

"My Lord—It will be difficult, if not impossible, to obtain the returns of deaths your Lordship has asked for, as the police have been instructed to register those only who are found dead out of their houses, and there is no other regular account kept, and no coroner in very many districts in the west of Ireland; but, in the meantime, I can give you an idea of what is taking place. The population of my estate is about 4,500, and the usual average of deaths has always been below the general average, which I take to be 3 per cent, or 135 yearly. During the three weeks ending the 7th instant, 68 deaths have been reported to me as having been caused by distress, besides seven or eight old people in the usual course of nature; and this, notwithstanding considerable assistance received from the benevolence of private individuals, independent of the Government works.

"In the remainder of the parish, and in the island of Inch-Offin, the mortality has been so great that the clergy of both persuasions estimate the deaths altogether at above 100 per week on 10,000; and in the adjoining parishes of Omey and Ballindown, forming part of the union of Clifden, in a population of about 18,000, the loss, as reported to me on Saturday by the dispensary doctor, amounts to 15 to 16 per day (*i.e.* 105 per week). This, your Lordship will admit, is very frightful; but it is nothing to what is likely to occur as private funds are exhausted, and the money payments on the public works suspended. There are no large farmers, I may say, to employ the people, and no means left to pay another rate, the one in progress of collection being, in fact, met from the payment of the labour on the roads; and all who have the means are emigrating.—I have the honour to remain, my Lord, your obedient servant, "HENRY BLAKE."

The noble Lord exhibited a tabular form of registry used in Ireland by clergymen of the Established Church, comprehending the name, abode, age, and date of burial of the deceased, and by whom the funeral service was performed; and concluded by comparing the efforts made by the late Government in the way of introducing supplies of food into Ireland, with the policy of the present Government in refraining from interfering with the operations of private speculators, which the noble Lord said had done great injury to the people of Ireland.

MR. LABOUCHERE hoped that the House would not suppose that he intended to follow the noble Lord into the subjects he had adverted to at the conclusion of his speech, and which had been so frequently under discussion in the House, namely, the policy which Her Majesty's Government had adopted with regard to the supply of food to Ireland, and the effects of that policy upon the supply. He only protested against the attempt of the noble Lord to produce an impression that the mortality in Ireland, which no one could more deeply lament than he did, was to be traced to the policy which had been pursued by the Government with respect to the supply of food. On the contrary, he (Mr. Labouchere) was daily more and more satisfied that it had been a wise and necessary policy on the part of the Government to abstain from interfering with the supply of food by the legitimate means of private enterprise. He was surprised that the noble Lord should have made these observations at a moment when, by the effect of private trade, enormous quantities of food were pouring into Ireland, and causing the fall of prices there; whereas, if the Government had adopted the opposite policy of discouraging private trade in corn, they would have aggravated the evil. He had had a letter that day which stated, that in the port of Cork there were 100 vessels with full cargoes of grain. The same was the case in Galway and Limerick, and other great ports of Ireland. He rejoiced that the Government had not yielded to the cry; and the result was, that at this period, when relief committees were established in Ireland to supply the destitute poor with food, we started with the Government depôts supplied with a larger quantity of provisions than ever; whilst the granaries and storehouses of private merchants contained immense quantities of provisions for the people. With regard to the returns alluded to by the noble Lord, if he had objected to them, it was not because he was desirous of concealing from the House the impression that the mortality in Ireland had been owing to the distress occasioned by the different policy pursued by the Government this year and the last; it was not on that account he objected to the returns, but because he believed it would be difficult to obtain accurate information, and he objected to inaccurate information upon a subject of this description. Whenever the Government were in possession of accurate information, they never refused to furnish it. They had procured returns of coroners' inquests, and returns from the constabulary officers in the different districts, which were laid upon the Table of the House. When the noble Lord asked what was the difference between the mortality of this year and of last year, he (Mr. Labouchere) could only say, that having applied to many persons, and particularly to Irish gentlemen who were best able to give him information upon the subject, he had been assured by them that there did not exist materials in Ireland for giving a return of that nature with such a degree of accuracy as could be relied upon. The noble Lord had observed that the Protestant clergy were obliged to keep a registry of deaths within their own parish. He (Mr. Labouchere) believed that by the canon law there was such an obligation; but he was very much deceived if that law had been generally observed throughout Ireland. This, at least, he knew, that there was no penalty to enforce the observance of a canon law of that description. He had a copy of that canon law before him, and he found the only penalty to be this:—

> "That if the minister should be negligent to perform anything therein contained as being required of him, it should be lawful for the bishop to proceed and declare such minister as being contemnable of this our constitution."

He believed that this penalty was not very efficacious to enforce the observance of the canon law. His objection to the Motion of the noble Lord on a former occasion entirely rested upon the fact that there existed no means by which any such returns as the noble Lord required could be accurately given.

Mr. J. O'CONNELL was willing to give the Government every credit for the desire they felt to use all their exertions to relieve the extreme distress of the Irish people; but there prevailed an opinion in Ireland that the Government might have done much more than they had to provide food on the occurrence of such a dire calamity as the one which now afflicted that country. The people were without seed to sow their small holdings, and the loss of life that was still going on was excessive. He adjured the Government to come forward and arrest the hand of the destroyer, by using every possible means which the powers of government gave them, and not rest so much upon the exertions of individual charity. Let them at this crisis save the lives of the people, and then they might be justified in depending upon the interposition of private enterprise to ward off a similar calamity in future.

Mr. SHAW wished to say one word in confirmation of a statement which had been made by the right hon. Gentleman the Secretary for Ireland. His opinion was, that there could not be a correct statement made in Ireland of all persons who had been interred in the course of any one year; but still he was bound to say that, as regarded the obligation imposed upon the Protestant clergy by the canon law, he believed that it was well observed. The Ecclesiastical Commissioners issued a form to the clergy of the Church of England in Ireland, and according to that form the clergy gave a complete return of the number of burials of their own flock; but beyond that he believed no account could be furnished.

Lord J. RUSSELL was anxious to make one or two remarks upon a statement which the noble Lord opposite (Lord G. Bentinck) had more than once made in the House, and which must have been made under a total misapprehension of what were the facts of the case. The noble Lord's statement was, that he (Lord J. Russell) had pledged himself to the speculators that he would not interfere with private trade for the supply of food for Ireland. The noble Lord then went on to say that certain provisions were made last year by the late Government, there being a scarcity, which were intended to make up for the deficiency; and the noble Lord thought that the present Government ought to have made a similar provision for this year. But he considered the noble Lord totally mistaken in his statement. In the first place, he gave no pledge to the corn speculators not to interfere with private trade. But what Her Majesty's Government did was this: They took into consideration what was the best thing to be done in consequence of the failure of the potato crop in Ireland, in order to obtain a sufficient supply of food for the people of that country, and they came to the opinion that the best course for them to pursue was not to import food into Ireland, and not to compete with private enterprise in the markets of the world. He had given his opinion on a former occasion with regard to what was done by the late Government last year; but the noble Lord was quite mistaken when he supposed that the late Government made provision to supply food to meet the wants of the Irish people. What the late Government did was to order a certain amount of money to be issued from the Treasury for the purpose of purchasing Indian corn, that it might be introduced into Ireland, and be added to the common food of the people; and in so doing, he conceived that the late Government performed a great and important service. But the same thing could not be repeated, because it was obvious that, when once Indian corn had been introduced into Ireland, the speculators would immediately ask the Government whether it were their intention to compete with them in the supply of that article of food or not. The Government was necessarily bound to state what their course would be. He believed the purchases were made in order that a new article of food should be introduced into Ireland, and not with the notion that the Government should undertake to feed the people of that country. He never heard such a statement made, nor did he believe that the introduction of Indian corn was for that object. He would read to the House a letter which had been addressed to Mr. Trevelyan, Secretary to the Treasury, and which, he thought, would show that the course pursued by the Government had been the correct course:—

"Cork, March 19.

"Sir—Since my respects of the 12th inst., the arrivals of Indian corn at this port have been unprecedented. There are at present over 100 sail, containing an aggregate amount of breadstuffs not short of 20,000 tons, afloat in our harbour. As I before advised you, the stocks of dealers here have been largely accumulating for the last month, and it is now apparent that they have quite overshot the mark in speculation—maize, which a month since brought freely 18*l.* per ton, being this day offered in small parcels at 15*l.*; and I shall not be surprised to see it considerably lower, if any great proportion of the present arrivals be forced upon the market, which is by no means improbable. Still, some parties here continue to hold out, and would have it appear that the depression is only temporary; I trust, sincerely, that they may be mistaken. I regret to add to this cheering intelligence that fever is spreading rapidly here amongst all classes; our fever hospitals are crowded to excess, and over 300 extra cases in the most populous part of the city cannot obtain admission from want of room.

"P.S. Since writing the foregoing, our special messenger has returned from the Cove of Cork, and reports the number of arrivals, chiefly within the last twenty-four hours, as even more numerous than I supposed; but, the weather being thick and stormy, it has not yet been possible accurately to ascertain the number."

His (Lord J. Russell's) belief was, that a much greater quantity of Indian corn had arrived and been secured in Ireland for supplying the wants of the people till the period of next harvest, than would have been introduced if the Government had undertaken to provide them with food.

LORD J. MANNERS said, that after what had been stated by the right hon. the Recorder of the city of Dublin, perhaps the right hon. Gentleman (Mr. Labouchere) would have no objection to produce the returns of the mortality among the flocks of the Protestant clergy, whose registries the right hon. and learned Recorder said were accurately kept, although the right hon. Gentleman the Secretary for Ireland had declared that there was no dependence to be placed on them.

MR. LABOUCHERE replied, that what the noble Lord the Member for Lynn asked for, was a return of the mortality which had taken place among the people of Ireland, during this and the preceding year. Now, what the right hon. and learned Recorder stated, was, that the Protestant clergy did keep a registry, but it was only of the deaths of persons belonging to their own persuasion; that was not a very satisfactory answer to a request for a return of the deaths among the whole population. But, if the noble Lord thought it of any importance to have a comparative statement of the mortality among the members of the Church of England in Ireland during the two periods, he, if it could be given, should have no objection to produce it.

MR. V. STUART had the fullest confidence in Her Majesty's Government that they would do everything they could to rescue the people of Ireland from starvation; but he apprehended the greatest danger would rise from the change that was now taking place by the discharging the people from the public works. Many would be thereby rendered destitute of employment; and the severest distress, and even loss of life, would, he greatly feared, ensue from the system which Government had thought it their duty to adopt.

Mr. J. COLLETT wished to ask the right hon. Gentleman the Secretary for Ireland a question. It had been stated in the papers, and was generally believed, that the Government had sent over M. Soyer to make soup for the Irish people, and that M. Soyer had engaged to assist them in that occupation and to distribute the soup to upwards of 100 men, and at a very considerable expense. He desired to know from the right hon. Gentleman if M. Soyer really had been sent over, if the attendant expense was incurred by the public, and whether there was any reason to believe that the experiment had answered?

Mr. LABOUCHERE regretted that the hon. Gentleman had not given the customary notice that it was his intention to ask a question. [Mr. Collett: It is a matter of public notoriety.] M. Soyer had been sent over; he was in communication with the Relief Commissioners; and he conceived that the suggestion had proved extremely valuable. He was not quite sure, but his impression was, that the expenses of M. Soyer's first experiments were paid out of private subscriptions; and that that having been found perfectly successful, the suggestion was adopted by the Relief Commissioners. While upon his legs he would say one word in connexion with what fell from the hon. Gentleman (Mr. V. Stuart). He was quite aware that, do what they could, the transition state through which a great portion of the population would pass when employment could no longer be furnished to them on the public works, and before other occupation was provided, must be accompanied by great distress and severe hardship. All he could say was, that no exertion would be spared to alleviate that inevitable distress. The Relief Commissioners at Dulin were exerting themselves to the utmost to get the new system into operation as soon as possible. In terminating the employment on the public works, a large discretionary power was permitted, and that power would be exercised to avert, as far as practicable, those serious consequences which the hon. Gentleman supposed would ensue.

Mr. DILLON BROWNE feared that the results would be most disastrous, and doubted if the best measures were being taken to meet them. The people should be at once employed in the cultivation of the soil. He was not in the habit of demanding from this country any unnecessary assistance; but he must now say, that in those cases where the seed was not provided by the landlords, it was the bounden duty of the Government to interfere. In this way only could they avoid the recurrence next year of that calamity with which Ireland had been afflicted this year. It would be a very sorry excuse for the Chancellor of the Exchequer in 1848, if he came down to ask for another grant to feed the people, to say that he had depended upon the landlords, and that having leaned upon a broken reed, he had been disappointed. The Government, no doubt, deserved great credit for the courage displayed in refusing to interfere with private enterprise; but this principle of action, under present circumstances, might be carried too far.

Mr. DISRAELI had one observation to make in reference to the statement of the right hon. Gentleman, in answer to the noble Lord the Member for Lynn. It was extremely advisable that it should be distinctly understood from the returns which had been laid on the Table, what were the facts, with regard to the supply of food, furnished by Her Majesty's Ministers to the service of the people of Ireland, and the means taken for the distribution of those supplies, in comparison with what had been done previous to the accesssion of the present Government to power. It appeared that, under the administration of the late Government, there were 93 depôts established, and that these had been reduced by the present Government to 24 depôts. It further appeared that, in November and December, under the present system, 638,932 lb. of meal had been distributed, and that, in the two months almost immediately previous, under the former system, there had been distributed so much as 23,257,000 lb. This was exactly the amount of the difference between the two systems. He would not discuss the policy of the one, or the impolicy of the other. He did not deny that many considerations must influence their view of the subject; but when Her Majesty's Ministers attempted to impress the country with the conviction, that instead of having diminished the means of distribution provided by the late Government, those means had been sustained and even increased, it was quite necessary it should be made known, that where there had formerly been 93 depôts, there were now only 24; and, that while in the months of June and July, 23,257,000 odd pounds of meal had been conveyed to Ireland, in the months of November and December only 68,650lb. had been imported. It was very well for the noble Lord to tell them that the harbours of Ireland were crowded with corn-laden vessels, and that there were 100 sail of merchantmen bearing 20,000 tons of food to the people. That might be very true; but the question was whether, when the steed was stolen, they were not now taking that excessive care of the stable, which was proverbially unnecessary and unfruitful. The statement of his noble Friend the Member for Lynn was, that they had reduced the population by having lessened the number of the staff before employed to distribute the means of subsistence to the destitute; and when such a reply as that which they had heard was given, it was only right that the true state of the case should be understood. What was the inference to be drawn from these facts was quite another question; such were the facts, and no sufficient answer to them was to be found in the declaration of the noble Lord the First Minister, that supplies were fast arriving in Ireland. The moral of the story was apparent: the Government had trusted to those favourite principles of political economy which might be very efficient, but which had only been proved to be efficacious when they had reduced the population a million.

The CHANCELLOR OF THE EXCHEQUER thought that the hon. Gentleman had been arguing on a very obvious fallacy. The two months during which the large supply mentioned by the hon. Gentleman had been provided, were the months previous to the harvest, and before the potato crop was gathered; and the two subsequent months, when the supply was not so great, were those months when the natural resources of the country had become fully available in the alleviation of the prevalent distress. The circumstances marking the two periods were therefore very dissimilar; and the inference drawn by the hon. Gentleman was consequently altogether unfounded. The hon. Gentleman had also drawn a comparison unfavourable to the present Government between the measures taken by the late and the present Administration in reference to the number of depôts established throughout the country. If a little more trouble had been taken in the inquiry, it would have been found that very opposite circumstances had been compared. The system pursued by the late Government was to establish not only the large reserve depôts, but smaller depôts, consisting sometimes of not more than a few sacks, in those districts where facilities were offered by the presence of coast-guard stations or barracks. These precautions were, originally, perhaps, necessary; but afterwards, when their utility ceased, the smaller depôts were abolished. And so far from any censure being deserved, he could assure the hon. Gentleman that the number of the large and important depôts had been more than doubled since the accession of the present Government to office. Comparing like with like, the hon. Gentleman would find that the number of depôts had been considerably increased. Either from private supplies, or the Government depôts, there was now no part of Ireland where food was not distributed. Since the beginning of January, 7,000,000 of rations had been served by the Government; and from the Government mills and the Government bakeries at present the people were fed daily at the rate of 266,000 persons. He had stated enough, he thought, to show the House how unfounded was the hon. Gentleman's complaint; but he would read a statement, showing the benefits of the system that had been pursued this year, contained in an extract from a letter of the Dean of Achonry, who said—

> "I beg to take this opportunity of bearing my testimony to the justness of the views taken by the Commisary General in reference to the mode of providing food at the present emergency. I have had opportunities of witnessing the results of the different systems. In one instance, I know of 50*l.* having been expended in selling meal at a loss below cost price; and no sooner was the fund exhausted than the retail dealers, who had been obliged in some instances to give up selling, recommenced at unusually high prices to make up for lost time; and in some cases the meal thus sold had been obtained at the cheap depôt while it continued open. Thus the poor were left in a worse case than if there had been no interference. In my own case, although I had doubts at first as to the expediency of the plan, I have seen the beneficial results of acting in accordance with the regulations of the Commissary General. I have sold at the house of a servant, on my land, meal to the amount of 200*l.* (besides rice, cheese, and other provisions); and this has not cost me 1*s.* (except the inconvenience of keeping about 30*l.* afloat). By adding 1*l.* per ton to the price paid at the mill (at a distance of ten miles), I have covered all expenses, and provided for a poor carman (with a family of twelve), and for the person who weighs and sells the meal (with eight in family), wages to the amount of 4*l.* each within ten weeks. The advantage to the neighbourhood has been very great. For a mile in every direction

around me, the private dealers sell at a reasonable profit. If I had sold at a loss (supposing I could have afforded it), I should have stopped the private dealers, and thereby have limited the supply in the country; and if I had not sold at all, prices would have been higher in the neighbourhood, as they are in other parts of the district. I consider these facts conclusive on the subject now so much discussed."

Mr. P. HOWARD would suggest whether it was not possible to send biscuits to Ireland. In many parts of Ireland, as he had heard, they were actually using Indian corn without being dressed, which was likely to result in all kinds of diseases. They ought to have the salutary and portable food that biscuits supplied.

The CHANCELLOR of the EXCHEQUER stated, that a very considerable quantity of biscuit was now sent by the Government to Ireland.

POOR RELIEF (IRELAND) BILL.

House went into Committe on the Poor Relief (Ireland) Bill. On

Clause 3 — Appointment of relieving officers.

Mr. G. A. HAMILTON said, it was the object of the Amendment of which he had given notice, to vest the appointment of the relieving officer in the Poor Law Commissioners, instead of the board of guardians. He was free to confess that, generally, he was indisposed to divest the board of guardians of any authority, and vest it in the Commissioners; but it was to be borne in mind that they were entering upon a new experiment, which being one admitted to be fraught with danger, and to require in its trial the greatest caution, it was obvious that its success or failure would depend mainly on the relieving officer, who, it was proposed, should be invested with large powers; it was very desirable he should be free from local influences on either side—guardians might press upon him on the one side, and there might be a pressure from without on the other. It was, therefore, he thought, desirable that this office should be strictly Ministerial, and that he should be appointed and be removable by the Commissioners.

Mr. W. S. O'BRIEN hoped the Government would not assent to the Amendment proposed by his hon. Friend. He had a strong objection to any alteration which would render the appointment in a less degree popular, and increase the centralization which already was too prevalent.

Sir G. GREY could not consent to the Amendment.

Mr. DILLON BROWNE was not surprised that such a proposition should come from the hon. Member. Any proposition likely to impair the utility of the Bill might well come from him, and those around him.

Mr. SHAW said, it was the object of his Colleague to propose, subsequently, a clause which would sanction the appointment of a Committee for the purpose of administering out-door relief, and with this view to make the relieving officer merely Ministerial. It should not be forgotten that in Ireland, perhaps, in some places a relieving officer might be exposed to personal danger, if he refused to give relief to those who applied to him. He supported the Amendment of his hon. Friend.

Mr. G. A. HAMILTON said, no hon. Member should provoke him to use a single word in the discussion on this Bill which might indicate any party feeling. He would not press his Amendment to a division.

Clause agreed to.

Clause 5 — Medical officers to be appointed.

Mr. J. H. HAMILTON said, it would be very desirable that boards of guardians should be empowered to take ground near workhouses, of which to make burial grounds for the inmates—a fearful mortality had already taken place in some workhouses, and burials had taken place to a great extent within the precincts; this was very deplorable.

Mr. LABOUCHERE intimated, that a measure was in contemplation for this purpose.

Mr. G. A. HAMILTON said, provision should be made to guard the interests of dispensaries. He could not object that in unions or electoral districts, where there were no dispensaries, the Commissioners might have power to appoint medical officers; but the appointment should be confined to those districts, and the cost be imposed on them.

Sir G. GREY would consider the suggestion, but thought the 13th Clause made provision for it.

Clause agreed to.

Clause 6—Relieving officers may give provisional relief.

Mr. G. A. HAMILTON proposed an Amendment, constituting a Committee in each electoral division, consisting of the guardians and two of the highest ratepayers. He proposed that they should meet once a week, or more frequently if necessary; that the relieving officer should be their servant; that all relief out of the workhouse in each electoral division should be given under their orders; that the Chairman should have charge of the funds, and that in case of sudden or urgent distress, the relieving officer might obtain an order from the Chairman or any two members of the Committee. He hoped the Government would not object to this Amendment.

MR. SMITH O'BRIEN agreed to the principle of the clause, but not to its details.

SIR G. GREY could not consent to it. The efficiency of the Bill would be impaired by it.

MR. G. A. HAMILTON could only warn the House what they were doing. They were constituting an officer with almost unlimited power of giving relief—they were about to give him funds, and a discretion to give relief in what were called sudden and urgent cases; but who was to judge of the suddenness or urgency of those cases? Why, the relieving officer. He feared those cases would be more frequent and numerous than hon. Members supposed.

Amendment negatived.

On the Motion, that the Clause stand part of the Bill,

MR. POULETT SCROPE said, he thought the clause was not sufficiently compulsory on the relieving officer. As he would hold his appointment from the boards of guardians, it was likely that, in many cases, he might be inclined to neglect his duty. In England the overseer was bound by law to give relief in case of sudden emergency. The clause in the English Act, not only empowered but required the overseer to give relief in such cases; and if he did not do so, a justice of the peace could give an order for relief, and the overseer became liable to a penalty of *5l.* for the first offence, *20l.* for the second offence, and to imprisonment with hard labour for the third offence. He would wish that after the words "Shall have power to give," they should insert the words "And shall give," in the tenth line of the clause.

SIR G. GREY said, that the 13th Clause of the Bill, which defined the duty of the overseers, would meet the objections of the hon. Member.

Clause agreed to.

On Clause 9,

MR. M. J. O'CONNELL suggested, that it would be better to adjourn the Committee on so important a clause, as the hour was so late.

LORD J. RUSSELL would consent to the Motion, in the hope that hon. Members who had notices on the Paper would postpone them, in order to enable the House to dispose of this Bill.

The House resumed.

Committee to sit again.

PUNISHMENT—TRANSPORTATION.

On the Motion for Reading the Orders of the Day,

MR. E. DENISON, referring to the Prisons Bill and the Custody of Offenders Bill, inquired, whether it was the intention of Her Majesty's Government to bring the question of transportation before the House?

SIR G. GREY replied, that it was not his intention to bring the subject before the House; but the noble Lord the Member for Hertford (Viscount Mahon) had intimated to him that he should take an opportunity of introducing the whole subject. He (Sir G. Grey) proposed to go on with the Bills on Thursday.

LORD J. RUSSELL, in reply to another question, said, the question, as brought under the consideration of the House by these two Bills, would not commit the House.

SIR J. GRAHAM was satisfied, from the experience of four years which he had had of transportation, there was an absolute necessity for some change. He was not aware, however, of any mode in which the question could be brought under the consideration of the House, if the advisers of the Crown should think fit to operate by the prerogative, excepting under one of these Bills. The prerogative of the Crown could effect all the changes in the system of transportation, saving only in the case of Irish convicts, for whom provision was to be made in one of the Bills now before the House. Unless the question could be raised directly in some other shape, he did not believe there would be any other opportunity of discussing the question except upon one of these two Bills.

MR. HENLEY thought some detailed stetement should be made before the House were asked to pass these Bills.

MR. FINCH asked, whether the Crown possessed the prerogative of altering the sentence of transportation?

Sir G. GREY replied, there could not be a question of it.

Sir J. GRAHAM said he should make no objection to these Bills if there was an understanding that the whole subject would be introduced in a distinct shape shortly after Easter.

Sir G. GREY hoped the question would be raised in a distinct shape; but there was no Bill before the House that would raise it, although the noble Lord (Lord Mahon) had intimated to him, privately, his intention of discussing the subject.

House adjourned at a quarter past One o'clock.

HOUSE OF LORDS,

Tuesday, March 23, 1847.

Minutes.] Public Bills.—1ª General Register House (Edinburgh).

Reported.—Drainage of Land.

Petitions Presented. By Lord Stanley, from Dissenters of Chorley and several other places, against the proposed Plan of Government Education; from Sligo, against affording Out-door Relief to the Able-bodied Poor of Ireland; and from Guardians of the Mansfield Union, for the Repeal of the Law of Settlement, and for Alteration of the Mode of Rating.—From Rigby Wason, of Corwar, suggesting certain Amendments in the Drainage of Land Bill.

SPANISH BONDS.

Lord BROUGHAM presented the petition of the Association of British holders of Spanish Bonds, calling the attention of their Lordships to the treatment which they had received from the Spanish Government. It was the petition of Mr. Dempster Heming and Sir T. Lethbridge, Bart., who petitioned in their capacity of, and as representing, a very large and numerous, and formerly a wealthy class, and but for the treatment they had received from the Spanish Government, they would still be very wealthy. They set forth that at various times during the Spanish war of independence against the encroachments of France, they had advanced to the Government of Spain, or had purchased from those who had made advances, several large sums of money; that the entire sum exceeded 70,000,000*l.*; and that legally, as well as equitably, they were the creditors of the Spanish Government to that amount. He need not remind their Lordships that the history of Spain, and more especially this transaction, furnished a striking illustration of the truth of the politico-economical dogma, that the mere possession of gold and silver does not enrich a nation. Spain had claimed the ownership of the Mexican and Peruvian mines ever since the discovery of the South American continent, but at no period had she possessed any disposable capital: by their industry and mercantile enterprise, the products of those mines had passed into the hands of Englishmen, and Englishmen had thus been enabled to furnish to Spain the means of contending with and ultimately defeating the aggressors on her liberty and independence. If other metals besides gold and silver had not been employed in the course of the Peninsular war, under his illustrious Friend who sat near him, he (Lord Brougham) would not now, perhaps, have to exult in the reflection that, partly by the aid of our capital, the Spanish Government had succeeded in effecting its liberation from the thraldom of the Napoleon usurpation; but it was certainly undeniable that that result was in some sense attributable to the liberal manner in which English capitalists had come forward. It was impossible to speak otherwise than highly of the indomitable spirit which had pervaded—not the Spanish army, for he would say nothing about that—but the Spanish people and the Spanish councils, throughout their long and arduous struggle. He admitted their bravery and their courage; and he did not seek to dispute that sense of the national honour which was so general in Spain; and it was because he conceded all this he was astonished that the Spanish people could ever adopt a course so novel in the history of finance—that course which, being quite original among the inventions of statesmen, had only recently received a name—the old vocabulary not having possessed a name for a thing which was unknown—the coarse term "repudiation." He was astonished that the system of repudiating a debt because it was not convient to pay it—and that was the technical meaning of the invention—should have found votaries, of all the nations of Europe, in Spain. There were many other nations much more likely to have patented the discovery, according to the law of patents, as the importers of it; he could name several, but he would not, because it would be invidious; and there was not one of those he could name who were not more likely to have availed themselves of the benefit of the patent than the Americans—he begged their pardons, he meant the Spaniards. That Castilian honour, which was famed all over the world, would not, he was sure, on inquiry, be found to have departed from the Peninsula so far as to make it possible that this just debt could be seriously repudiated. By means of those advances the Spanish Government were able to bear a great part—he would not say a very enormous part—but certainly a part in the great struggle for her independence. They had succeeded in that struggle with the help of their capital; they had obtained an independent Government, he would not say by their help—for it did not become those who were useful to others to remind them of it—but they had co-operated with them; and as the success was theirs, why, he would ask, "should the expense be ours?" That was an obvious question, and he believed that a people like the Spaniards—an honourable, high-minded, and chivalrous people—would be the last on the face of the earth to submit to the stain, or who would say, "You helped us; you spent eighty millions for us; we will pocket the proceeds, and not pay one farthing of principal or interest." Even if they were not able at present to pay, that did not absolve them altogether from paying; the obligation continued; and if they could not pay it all at once, let them pay it by instalments; and if they could not pay it in that way as rapidly as justice would require, they should pay it as rapidly as they could. He would call their Lordships' attention to the state of the Spanish revenue, to show it could not be alleged that the Spanish Government was in a state of insolvency. About eleven or twelve years ago their revenue was under six millions; their revenue by the last official return made by their Finance Minister was twelve millions sterling; and having doubled their resources, and the means of paying, he was sure they did not mean to say now, they did not mean to pay anything. Let them pay what they could; and they could now pay more than they could pay if the demand had been made upon them ten or twelve years ago. It happened that the national creditors did not reside in the city of Seville; but he was sorry to say they were to a considerable extent resident in London, and they had been kept for a long time out of this large sum.

The EARL of CLARENDON had been informed yesterday by his noble and learned Friend of the intention to bring forward the petition which had just been presented to their Lordships; and he was now enabled to say that he believed the statement of the petitioners to be perfectly correct. He considered that the remarks of the noble and learned Lord were fully justified by the facts of the case; and he was bound to admit that he did not think there had been any exaggeration whatever in the detail of the injustice with which the petitioners had been treated. Spain, in reality, was not in the position in which, on certain occasions, it suited the Ministers of that country to describe her. Under that system of administration which now existed, the revenues of Spain had gone on gradually increasing since 1836, until they were now double what they had been previous to that period; and if the administrative system were conducted with prudence and economy—if the attention of successive Ministries were not directed to foreign intrigues and home finessing—if their exertions were not engaged in paralysing rather than in developing the resources of the country—Spain would have taken her place as one of the richest and happiest countries in Europe. The noble and learned Lord had praised the proud and indomitable character of the Spanish people; they were also industrious—no people more so, if they had a motive for their industry, and a legitimate reward for their labour. No country in Europe of equal area was more fertile than Spain; and, if the industry of the people and its natural resources were developed, it would be wealthy and prosperous enough to justify the declaration of one of its Finance Ministers, who said that the resources of Spain were sufficient to pay the amount of its debt ten times over. Spain had no right to plead insolvency; but, at the same time, he must say it had never adopted the new word mentioned by the noble and learned Lord—repudiation. It had very often been his duty, when filling an official position in that country, to make representations to the Spanish Government on behalf of the bondholders, and the debt was never denied; on the contrary, it was always acknowledged, and *bonâ fide* arrangements made for the payment of the interest; but before they could be carried into effect a new revolution occurred—there was a change of Government—and each succeeding Minister seemed to think it his duty to set aside the arrangements of his predecessor. In this manner the claims of the British bondholders had been deferred, and they had been grievous sufferers; in some cases their loss amounted to total ruin. There were cases within his own knowledge in which persons had embarked the savings of a whole life, very imprudently, of course, for it could not be too often impressed upon persons engaged in this kind of speculation, by which many millions of British capital had been recklessly spent and lost, that an individual lending money to a foreign State, without the sanction of his own Government, did so at his own risk. It was also most unfit for individuals to bring their country into danger of a war, upon claims created without the sanction of their Government, either general with respect to that class of claims, or special with regard to particular guarantees. Nevertheless, the Government of this country had never hesitated to press the justice of the claims of the British creditors; and the Minister of Her Majesty at the Spanish Court, under instructions, was lending his assistance to the agent of the creditors in prosecuting those claims, he hoped with some prospects of success. As individuals, no men were more honourable in their dealings than Spaniards; but in a collective capacity, as a Government or Cortes, they had shaken off that individual responsibility, and evaded payment of the debt in a manner fatal to their public credit. The petitioners stated it to be the opinion of jurists that the withholding this payment constituted a *casus belli.* That was not his opinion; nor did he intend further to allude to it. Considering the character and resources of Spain, he hoped an expression of opinion in this country would materially assist in obtaining some arrangement.

In answer to a question from LORD BROUGHAM,

The EARL of CLARENDON said, instructions had been given to Mr. Bulwer, to assist to the utmost of his power the agents of the bondholders at Madrid.

House adjourned.

HOUSE OF COMMONS,

Tuesday, March 23, 1847.

MINUTES.] PUBLIC BILLS.—1° Roman Catholic Charitable Trusts.

2° Towns Improvements Clauses.

Reported.—Mutiny; Marine Mutiny; Commons Inclosure (No. 2); Indemnity.

PETITIONS PRESENTED. By Mr. Shaw, from John Aylmer and others, for Alteration of the Church Temporalities (Ireland) Act.—By Lord J. Manners, from the Rev. Joshua King, M. A. Rector of Woodchurch, for Alteration of the Tithes Commutation Act.—By Mr. Bannerman, from Members of the Aberdeen Temperance Society, against the Use of Grain in Breweries and Distilleries.—By Lord G. Bentinck, from London, against the proposed Measure respecting Colonial Spirits.—By Mr. Lock, from Wick and Pulteney Town, for the Reduction of Lighthouse Dues.—By Mr. A. Chapman, from Whitby Strand, respecting Remuneration to Tax Assessors and Collectors.—By Viscount Sandon, from Liverpool, for Reduction of the Duty on Tea.—By Lord J. Manners, from Shipley, for Repeal of the Anatomy Act.—By Mr. Bright, from several places, for Inquiry respecting Cotton (India).—By Mr. Bright and other Hon. Members, from several places, against the Government Scheme of Education.—By Mr. O. Gore, from Grand Jurors of the County of Sligo, for Encouragement to Emigration (Ireland).—By Mr. Marshall, from Carlisle, against the Factories Bill.—By Captain Gordon, from Aberdeen, against the Marriage (Scotland) Bill.—From Guardians of the Parish of St. Matthew, Bethnal Green, for an Efficient Poor Law (Ireland).—By Mr. Young, from Grand Jury of the County of Cavan, for Alteration of the Poor Relief (Ireland) Bill.—By Mr. Buck and other Hon. Members, from several places, for Repeal or Alteration of the Poor Removal Act.—By Mr. Lock, from Stonehaven, and Mr. B. Smith, from Norwich, in Favour of the Ports, Harbours, &c. Bill (1846).—By Captain Gordon, from Aberdeen, against the Registering of Births, &c. (Scotland) Bill.—By Mr. Forbes, from Falkirk, and Sir R. H. Inglis, from Members of the Presbytery of Forres, against the Registering of Births, &c. (Scotland) Bill; and the Marriage (Scotland) Bill.—By Captain Gordon and other Hon. Members, from several places, for Compensation respecting the Registering of Births, &c. (Scotland) Bill; and the Marriage (Scotland) Bill.—By Mr. Ainsworth, from Horwich, and Mr. Brotherton, from Salford, for Alteration of the Law respecting the Sale of Beer.—By Lord J. Manners, from Guardians of the Poor of the Barrow-upon-Sour Union, for Alteration of the Law of Settlement.

INSPECTORS OF RAILWAYS.

MAJOR LAYARD asked the First Commissioner of the Railway Board why the office of inspector general of railways, so essential for the information and guidance of the board, had not yet been filled up? It was now five months since Sir Charles Pasley's services were dispensed with, and the responsibility now rested with the former assistant inspectors without any increase of salary.

MR. STRUTT said, the reason why no officer to be called the "inspector general of railways" had been appointed was, that no such officer, bearing any such title, was required to be appointed under the Act for the regulation of railways. That Act required that two officers should be appointed, and in consequence two gentlemen, called inspectors of railways, had been appointed, who were very efficiently discharging their duties. He did not know whether the senior officer was termed simply inspector or inspector general; but no individual had been appointed under the latter designation. In the Railway Department of the Board of Trade there was an officer called the inspector general; but it was thought better, under the new board, to appoint two officers to be called inspectors. The hon. and gallant Member, however, might rest assured that either in the appointment of the officers, or in the fixing of their salaries, care would be taken that the duties were discharged.

CHARITABLE TRUSTS.

MR. J. ROMILLY, in moving for leave to bring in a Bill for the better administration of charitable trusts for the benefit of Her Majesty's Roman Catholic subjects, stated that he would take the discussion of the measure on its second reading.

MR. J. O'CONNELL considered the subject of the Bill of great importance; and if the hon. and learned Gentleman had consulted and obtained the sanction of the Catholic clergy of England to bring in a Bill which would materially affect their jurisdiction, he (Mr. J. O'Connell) would give it his most earnest support; but if the consent of those right rev. gentlemen had not been obtained, then he hoped a distant day would be fixed for the second reading, in order that they might be consulted.

Leave given.

COMMERCIAL RELATIONS WITH CHINA.

VISCOUNT SANDON rose to move for the appointment of a Select Committee to take into consideration the present state of our commercial relations with China; and observed, that he felt himself excused from the necessity of intruding at any length on the attention of the House, from finding that the noble Lord at the head of Her Majesty's Government had no objection to the appointment of the Committee. The motives which had induced him to undertake this subject were these: he found among his own constituents, and also among a great many other parties connected by commerce and manufactures with the newly opened trade between this country and China, a strong impression prevailing that the advantages which would result from that trade would be of a very limited extent, unless a considerable reduction of the duty on tea were effected; for so long as a heavy impost of between 200 and 300 per cent was levied upon the only article that they could receive in return for their exports, it was impossible to expect that trade to any large extent could be carried on with China. Indeed, the duty on tea was considered by our merchants as a complete obstruction to our trade with China. This consideration would, of itself, naturally enough induce those parties to bring the subject before the House; but there were other considerations of a financial and pecuniary nature that would make it desirable that the whole state of our connexion with China should undergo an investigation with a view to ascertain more largely whether there were circumstances arising from our relations with that country which, independent of the duty on tea, obstructed and limited the extension of our trade. He had no doubt, that an investigation of this nature would be found highly advantageous, considering the peculiar circumstances of the case. Placing our communication with China upon an open footing, was altogether of a recent date and entirely experimental. The result of our victories in China having put us in possession of five free ports on the Chinese coast, and also given us possession of an island in the Chinese seas, a very unusual state of things had arisen, which must necessarily make it the duty of that House to examine into the whole subject, with a view of ascertaining what was the real cause of the obstruction which appeared to exist in the conducting of our trade with that country. He therefore begged to move that a Select Committee be appointed for the purpose of instituting such an investigation.

MR. HASTIE objected to the very indefinite terms of the Motion, and expressed his extreme regret that the Government should have so readily consented to the appointment of the Committee.

Motion agreed to.

CAPTAIN WYNNE.

MR. C. O'BRIEN moved—

> "That a Select Committee be appointed to inquire into the conduct of Captain Wynne, during his employment in the county of Clare in November and December, 1846, and January, 1847, as Inspecting Officer under the Board of Works, and into the statements contained in the printed Letters of the said Captain Wynne and Samuel Gamble, Esq., addressed to the said Board, and laid upon the Table of this House, and Report thereon; and also to inquire into and report whether the said Board of Works have or have not suppressed certain Letters or Reports made, or alleged to have been made, by the said Captain Wynne to them on investigations held at Ennistimon on the 10th, and at Liscannor on the 17th day of December, 1846, and also certain Letters in the possession of the said Board connected with these subjects."

The hon. Gentleman was understood to declare, that the charge which Captain Wynne had made against the gentry of the county of Clare, and particularly against the representatives of that county, was most calumnious and unfounded; and that the only object which Captain Wynne could have had for making such a charge was to hold the landlords of Ireland up to the execration of the people of this country. If the charge against him could be made out, he would not continue in the House five minutes. He had been a general supporter of the Whigs for fifteen years, and so had his Colleague; and this was the way in which he had been rewarded by one of their officers. All he wished for was a searching inquiry into the imposition which had been practised on the House and the country by Captain Wynne; and he hoped, notwithstanding the unfavourable disposition of the Government towards him, that the House would grant him a Committee of Inquiry.

MAJOR MACNAMARA seconded the Motion. He could confirm the statement of his hon. Colleague in all respects.

MR. LABOUCHERE regretted that the hon. Gentleman had not postponed his Motion for a very few days. On the Motion of the hon. Gentleman, certain documents had been ordered by the House, which were now in the course of printing, and would be in the hands of Members the day after to-morrow. Those documents would throw a great light on the whole of these transactions; and in his opinion, the House would act more correctly if they did not grant this Committee before those papers were in the hands of Members. The hon. Member had stated that the Government had received a general support from himself and his Colleague for a length of time, and that this was the ungracious return which they met with from him (Mr. Labouchere). Now, he really thought it was impossible for the Government to have taken a different course from that which they had taken in this matter. It was no desire of his to estrange any supporters from the Government. The Government had not so numerous a body of supporters in the House of Commons, as to make him anxious, as a Member of the Government, to alienate any one from their side; but on a question of this kind, if he were to alter that line of conduct which in his conscience he felt bound to pursue, when the proceedings of an officer of the Government were brought in question, and if he shrank from the defence of an officer of the Government in such circumstances when he thought that officer was deserving of being supported by the Government, for the purpose of conciliating votes in the House of Commons, he should think himself disgraced. He contended that a servant of the Crown had no choice in such a case, but was bound to defend in the House of Commons any officer of the Government who might be assailed there, when it was clear to the Government that such officer had discharged his duties to the best of his ability and according to his conscience. He could not, therefore, allow himself, out of regard to the consideration alluded to by the hon. Member, to alter the course which, on deliberation, he had found it his duty to pursue. No time whatever had been lost in producing all the papers bearing on the subject; and when those papers were presented, then it would be the time for the House to consider whether it were right or not to grant the Committee for which the hon. Gentleman moved. Saying this, however, he was very far from meaning that when the papers were before the House, it would not be right to grant the inquiry, if those papers were not satisfactory to the House; for grave charges had certainly been made against the Members for Clare, and it might be that the House would think it right to investigate them; but he could not assent to an inquiry moved in terms which reflected on the conduct of Captain Wynne. He maintained that there was no such *primâ facie* case against Captain Wynne as could justify the House in dragging him before a Committee as a criminal; and if they did, it would operate as a discouragement to officers employed in the service of the Government in Ireland, who had arduous and important duties to perform, and who, if this Committee were granted in this form, would be naturally much more anxious in future to shape their course so as to avoid offending Members of Parliament, than to discharge their duties boldly and conscientiously. As to Captain Wynne, he would say again, as he had said on a former occasion, that the opinion of the Government was not, that on every occasion Captain Wynne had acted with perfect discretion; but that in circumstances of a most difficult nature, and amidst opposition the most formidable, he had acted with the most conspicuous courage, and with entire integrity. That was the opinion of the Board of Works in Ireland; that was the opinion of the Lord Lieutenant, and of every Member of the Irish Government; and he would not shrink from declaring it. He had recently seen Captain Wynne for the first time in his life; and that officer had said, that, although he could not retract one word of what he had said, yet that nothing was further from his intention than to impute to the Members for Clare a deliberate design of procuring his assassination. He (Mr. Labouchere) wished the sentence had been otherwise worded; but some allowance must be made for the circumstances under which people acted; and, making a fair allowance for a man writing under those exciting circumstances in which Captain Wynne was placed at the time, he (Mr. Labouchere) did not think that such an interpretation could be fairly attached to it. The words used by Captain Wynne were these:—

> "I and the other officers of your board have strong reasons to complain of the conduct of the two county Members."

Now, he must say, that if a man meant to say that another had attempted to get him assassinated, it was a very mild way of stating that to say he had strong reason to complain. The letter went on—

> "Who appeared to come to the meeting for the sole purpose of holding us up one and all to assassination, and hallooing on a mob of a thousand of the worst description who were present. Can it be wondered that the stewards and overseers will not discharge their duties, and that the men on the works are doing literally nothing but what they please?"

He had the express authority of Captain Wynne for giving a public assurance to the two hon. Members for Clare, that, although he still maintained his opinion of their conduct, which he thought, in the state of public feeling in the district at the time, was reprehensible, and such as he had a right to complain of; yet that he never intended to impute to them designedly the purpose of assassination. He was bound also to say, that in the county of Clare, there had been a gross neglect of duty on the part of the relief committees; and he would tell them what another officer said; Captain Fishbourne said, that about 60,000 persons were employed on the public works, being almost all the adult population; and that he believed one-half of the money which had been expended in the county of Clare in furnishing employment, would have provided for the whole destitution, if the relief committees had done their duty; but, as it was, there still remained many who were in a state of destitution, and many persons were starving, whilst farmers, and others of a like class, had been put by the relief committees on the public works. He mentioned this injustice to Captain Wynne, to show the difficulties with which he had to grapple in the county of Clare. He would not enter into the subject further than to state, that Captain Wynne bore the highest character for his personal conduct and his public exertions; and that Sir Lucius O'Brien, the Lord Lieutenant of the county, and others, bore the highest testimony to his merits; and to express a hope that, under the circumstances, the hon. Member would withdraw this Motion for the present; and if the papers, when produced, should not be satisfactory, such an inquiry should be instituted as would afford an ample opportunity of investigating all the circumstances connected with this case.

MAJOR MACNAMARA had made no allusion to the support he had given the Government; but what he complained of was a want of courtesy in the right hon. Gentleman the Secretary for Ireland, in not communicating to him the charge of meditating assassination made against him and his hon. Colleague.

MR. SMITH O'BRIEN said, that though the right hon. Gentleman had asked for the indulgence of the House, he had shown very little towards the hon. Members for Clare, who had been paraded throughout the country for the past two months as instigators of assassination. He would ask whether the English language could in a more pointed manner, convey such a charge? And, if it could not, what could be more fair than for the hon. Members to say, "We challenge investigation, and we court the fullest inquiry?" With regard to the terms of the Motion, he was sure that the hon. Members would take the Motion in any terms which might be assented to. Of Captain Wynne he knew nothing, and he was glad to hear of his brother's testimony in his favour; but there had been a delay in producing the papers, and there was good ground for inquiry.

LORD J. RUSSELL said, that his right hon. Friend did not object to an inquiry into the statements which had been made; but he had said that the papers which would enable the House and the Committee to judge of the subject, had not yet been printed and delivered to the House, and, therefore, that it was not yet the time for the House to come to a decision on the question; but if the hon. Gentleman would frame his Motion in such terms as were unobjectionable, and if the naming of the Committee were deferred till the papers should be delivered and in the hands of the Members, there would be no objection on the part of the Members of the Government to the appointment of a Committee.

MR. W. WILLIAMS said, that an inquiry was due to the character of that House, as well as to the hon. Members themselves.

SIR R. PEEL said, it was quite clear that if it was intended to allow a Committee to be appointed, the less preliminary discussion there was, the better would it be for the ends of justice. He thought it better upon that occasion to abstain from any allusion to the conduct of Captain Wynne, and that the inquiry should be unprejudiced by anything which passed now; and he suggested that such an alteration should be made in the terms of the Motion that it should not prejudice any party, and should be now agreed to.

Mr. LABOUCHERE had no objection to the appointment of a Committee, if it were done in such a manner as should not cast any imputation on any parties.

Mr. SHAW said, it was quite clear that the matter could not rest where it was, and that the question was only one of time and form. Serious charges had been brought, in official documents laid upon the Table of that House, against two hon. Members: they had come forward and demanded an investigation, and he therefore thought that a Committee of that House, for the purpose of a full and fair investigation of all the facts and circumstances of the case, could not be refused. As an observation had been made by the hon. Member for Coventry (Mr. Williams), reflecting upon the course taken by the right hon. Gentleman the Secretary for Ireland (Mr. Labouchere), he (Mr. Shaw) felt bound to say that he admired the manliness and high feeling with which the right hon. Gentleman had defended an absent public servant, acting subordinately to his department, who, he believed, had acted honestly and uprightly. He had no personal acquaintance with Captain Wynne, but he had heard him highly spoken of as a public officer. The Motion could not be agreed to in its present terms, for they implied a censure of Captain Wynne's conduct, as well as of that of the Board of Public Works. He therefore would suggest the convenience of withdrawing it for the present—and then letting it be brought forward at the end of the night as an unopposed Motion—the hon. Member for Clare (Mr. C. O'Brien) and the right hon. Gentleman (Mr. Labouchere), having in the mean time agreed upon words which would not cast an imputation upon any party, but simply ensure a full inquiry into the whole transaction.

Lord J. MANNERS suggested that the whole object would be met by appointing a Committee—

"To inquire into the Statements contained in the printed Letters of Captain Wynne and S. Gamble, Esq., addressed to the Board of Works, and laid on the Table of that House, and report thereon."

Viscount CASTLEREAGH thought that the hon. Member for Clare was right not to give way; this was a grave charge, and, as they had only to settle the terms of the Motion, to put off such an investigation after such a charge, would not conduce to the dignity of the hon. Members themselves or of that House; for if a public officer who made such a charge were to be protected by delay, the Members of that House would be placed in an invidious position; and he therefore trusted that the hon. Gentleman would press the Motion in the terms suggested by the noble Lord.

Mr. J. O'CONNELL said, that if the terms of the Motion were strong, the charge was strong also. No doubt the character of Captain Wynne was very high, but the character of his hon. Friend was equally high; and he must remark, that if some check had been held over the officers of the Board of Works, he thought it would have been better. He should certainly support an inquiry.

Sir R. PEEL said, that in satisfaction to the feelings of the hon. Members, he was sure the right hon. Gentleman would accede to a Motion now appointing the Committee. He agreed that it was the duty of the right hon. Gentleman to defend a public servant who had done his duty, and that some allowance was to be made for doubtful language; but as a Committee was assented to, he would suggest that the terms of the Motion should be—

"That a Select Committee be appointed to inquire into the statements contained in the printed letters of Captain Wynne and Samuel Gamble, Esq., addressed to the Board of Works, in reference to the county of Clare, and to report thereon; and into the circumstances connected therewith which may appear to them fit subjects for investigation."

Mr. LABOUCHERE said, the right hon. Gentleman's Amendment opened the door so wide, that he had no objection to it.

Original Motion withdrawn, and the words proposed by Sir Robert Peel were put in a substantive Motion, and agreed to.

FEVER (IRELAND) BILL.

Mr. LABOUCHERE moved for leave to bring in a Bill to amend and continue an Act of the last Session of Parliament for making provision, until the 1st day of September, 1847, for the treatment of poor persons afflicted with fever in Ireland.

The right hon. Gentleman said, that the Act referred to in the Motion, was introduced by the right hon. Gentleman the late Secretary for the Home Department; and although it contained some valuable provisions, yet Her Majesty's Government, and especially the Irish Government, were of opinion that in the present condition of Ireland, and with the prospect which, he feared, there was before them of a great deal of fever in that country, not only would it be right to continue it, but to make some considerable alterations in it. The principal alterations proposed to be made were, first, to transfer to the relief committees appointed under the Bill now going through that House, the powers hitherto intrusted to the boards of guardians. It had been found by experience that it was necessary to have a more summary mode of proceeding than was applicable with the machinery of the poor law. It required some time to levy the poor rate and to force on the boards of guardians, who might be reluctant to carry that or other Bills into effect, the operation of any particular law; but the machinery of the relief committees was more extensive, and had this advantage over that of the poor-law guardians, that these committees were distributed far more generally throughout the country, and were able to deal with their particular localities in a more immediate manner than the poor-law guardians. Another alteration proposed was, that the expense should be thrown entirely upon the general fund. The object he had in view was paramount to every consideration of money, namely, to prevent the spread of disease and pestilence in Ireland, which, under the circumstances, he thought there was but too much reason to apprehend. It would, however, be better to postpone any discussion upon the subject until the Bill was in the hands of hon. Members.

SIR J. GRAHAM did not rise for the purpose of creating any discussion; but he wished to ask the right hon. Gentleman a question with respect to the statement he had just made, and which he (Sir J. Graham) had not clearly comprehended. The charge of this measure, as the Act now stood, was devolved on the poor rates exclusively, and was borne, therefore, entirely by the local funds, except the salaries of the public officers. He had understood the right hon. Gentleman to state, that it was his intention, by the Bill he was about to introduce, to change, not only the management, and to transfer it from the poor-law guardians to the relief committees, but also to make some change with reference to the funds out of which this expense was to be borne, and to throw it from the poor rates on to the general relief fund. In the first instance, it would no longer be borne by the local rates, but by that part of the public money which contributed to those relief committees; and, in the next place, if he understood rightly, one moiety of that would be thrown on the public funds altogether, whilst the other moiety only would be thrown on the local funds. That was a most important change. It was a transfer to the taxpayers of this country of a moiety of the entire charge, which, as the matter now stood, was borne by the local funds.

MR. LABOUCHERE said, the right hon. Gentleman had stated correctly the change that was proposed to be made by this Bill. All he would say, then, was this—that it was justifiable to throw on the general relief fund the expenses of this measure, rather than on the poor rates. He could not conceive any charge more important than that of providing the funds for enabling them to check fever amongst the people of Ireland, which he feared was too certain, in consequence of the great destitution from which they had suffered.

MR. SHAW supposed the measure was not to be permanent—if intended only as a temporary one, he would not object to it.

MR. LABOUCHERE said, it was only a provision of a temporary character, until the 1st of September, 1847, and thence until the end of the next Session of Parliament.

MR. HUME said, that ever since he had been in that House, fever had existed in Ireland to a very great extent, and the expense had always been borne by the rates of that country. If they admitted the principle of this measure, he knew of no charge that might not be thrown upon this country. They ought to have more explanation about it; and he would, therefore, propose, that the matter should be postponed until there was an opportunity of discussing it.

Leave given.

RELIGION IN WORKHOUSES (IRELAND).

MR. J. O'CONNELL rose, pursuant to notice, to put a question. He wished to ask the Secretary for Ireland if it were the intention of Government to introduce, or assist the introduction of, into the Irish

Poor Law Bill, any provision to give additional facilities in the workhouses for religious worship; and also, any provision for obviating the recurrence of the disputes and interferences on religious matters which had been complained of under the present law? There were, unhappily, to be found in Ireland many instances of interference with the religious feelings of the inhabitants of workhouses; and he regretted also to state, that divine worship was often performed in the eating-hall of the workhouse, or in the common room where the paupers were accustomed to assemble for purposes of recreation.

Lord J. RUSSELL replied, that the Government had no intention to introduce any clause of that kind; at the same time, if the hon. Member himself, or any other hon. Member, whenever the House went into Committee, should propose a provision having such an object in view, he was not prepared to say that he should oppose it. Of course, he felt, as fully as any one could, that it was most desirable there should be no interference with the religious feelings of paupers.

THE NATIONAL FAST DAY.

Lord J. RUSSELL moved, that the House, at its rising, do adjourn to Thursday next; which Motion was put and agreed to. He then went on to observe, that it was the intention of the Speaker to be in the House at a quarter before Eleven o'clock to-morrow to meet such Members as wished to accompany him to attend divine worship. With respect to the proposed adjournment to Thursday, he regretted to be obliged to ask the House to meet at Twelve o'clock, and he should not have done so if public business of importance did not render it necessary.

Mr. SHAW presumed that the House would adjourn precisely at Twelve o'clock.

Lord J. RUSSELL said, a quarter before Twelve.

Mr. M. PHILIPS wished to ask the right hon. Gentleman the Secretary for Ireland, whether that statement was correct in which they were told that the number of labourers employed upon the public works was 700,000? He should also like to know whether he was right in supposing that those labourers had earned, and were earning, at the rate of 1s. per day, the money so received by them, raised by the taxation of the people of England? He wished also to know whether those persons were to work upon the fast-day, or whether they were to be considered entitled to receive payment from the country for not working upon the fast-day?

Mr. LABOUCHERE said, that, if his recollection served him right, they had, upon a former period, a fast-day in Ireland, when similar public works were going on. The question raised by the hon. Gentleman was then maturely considered, and it was thought right that these labourers should continue to work upon the fast-day, and of course to be paid for so working. They were of opinion, considering that it was the public money, and the money of the counties and the baronies of Ireland, that paid for these works, that it would be, on the one hand, an improper thing to pay these persons without receiving some equivalent from them in the shape of labour; and on the other, that it would be inconsistent with the principle of humanity and religion to allow them to starve upon this one particular day.

Mr. M. PHILIPS was glad to hear the explanation of the right hon. Gentleman, because it would otherwise appear to the working classes here that the fast to be imposed upon them was not to be maintained in other parts of the kingdom, or that they were to be placed in a different position to that of the labouring classes of Ireland. Although he did not see any of the law officers of the Crown present, he wished now to ask whether the working classes of this country, in case they followed their ordinary avocations to-morrow, would, under the peculiar circumstances of the general fast, be subject to any penalty, or be considered guilty of any infringement of the statute law of the country?

No reply was given to the hon. Member's question.

Mr. BRIGHT said, he would be the last person in the House to say anything against those religious observances which appeared to meet the views of the people; but with respect to the fast of to-morrow, he believed the order for observing it would have no effect on a large portion of the people of England—he meant those who did not assemble for worship in the Established Churches. It would have no effect on the people of Scotland, nor on the people of Ireland, according to what had been stated by the right hon. Gentleman (Mr. Labouchere). He (Mr. Bright) thought the Government might, had they not regarded old precedents, have drawn up the proclamation more wisely. Instead of doing honour to the Deity, the document was an insult to religion, and calculated to engender, on the one hand, gross superstition, and gross infidelity on the other. He had, since that proclamation appeared, spoken on the subject to persons of almost all religious persuasions, and did not see anything like a feeling that the affirmations in the proclamation were proved, or that there was any reasonable ground, from Scriptural authority, for believing that any advantage could come to this country from a fast ordered by the civil power. He regarded the fast as a useless ceremony which reminded him of days gone by, but which was not in accordance with the enlightened opinions of the present day.

SIR G. GREY hoped the House would not go into a discussion upon the subject. His opinion was, that the fast ordered was in accordance with the opinions of the present day.

MR. P. HOWARD thought that the Government had, in ordering this fast, acted in accordance with the feelings of a large portion of the people. He belonged to a religious persuasion that did not admit Her Majesty to be the head of the Church; but they admitted that the fast was sanctioned by Holy Writ, in which repeated instances were found of national humiliation. The bishops of his Church had sanctioned the fast, though they did not recommend it as coming from regal authority, and recommended to-morrow as a day of special religious observance. They had so far acceded to the national wish, as to recommend that the "Miserere" for more special strictness should be observed to-morrow.

Motion for the adjournment agreed to.

RATIONS (IRELAND).

LORD GEORGE BENTINCK: The morning organ of the Government, *The Times* newspaper, in its Irish intelligence this morning, states that the order made regarding rations in Ireland is as follows:—

> "One ration may consist either of ½ lb. of bread, or 1 lb. of biscuit, or 1 lb. of meal or flour, or any other grain, or one quart of soup, thickened with a portion of meal, according to any known receipts, and one quarter ration of bread, or biscuit, or meal, in addition. Persons above nine years of age to have one ration—under nine years, a half ration in the day."

I wish to ask the right hon. Gentleman the Secretary of State for Ireland, whether it be a fact that the rations of those employed on the relief works in Ireland have been diminished to half a pound of bread per diem?

MR. LABOUCHERE said, he had not seen the document alluded to, and was, therefore, unable to answer the question. The important question as to what manner food could be distributed to the people so as to be mostly conducive to their health, and go furthest, had been duly considered by the Board of Health. They had gone fully into the subject, and, among other things, they recommended some variety in the food. The subject had also occupied the attention of the Irish Government. They had been in communication with the Board of Health on the matter, and they would, no doubt, adopt that course which they thought best.

LORD G. BENTINCK remarked, that, as the subject was an important one, as it regarded the Government of Ireland—

MR. LABOUCHERE thought the officers of the Board of Health better judges of the subject than he. He had not seen the document referred to. Things of that sort frequently got into the newspapers much sooner than they came to the Irish Office. When he saw the document he should have no objection to lay it before the House.

POOR RELIEF (IRELAND) BILL—COMMITTEE.

House in Committee on the Poor Relief (Ireland) Bill. On Clause 9, which provides that the cost of out-door relief shall be charged upon the electoral divisions,

SIR H. W. BARRON said, his object was to have the poor chargeable to the respective parishes to which they belonged. The electoral divisions in Ireland were so large that it was impossible to carry out the great objects of the Bill. By increasing the number of those divisions, the landlords of Ireland might be stimulated to give employment to the poor; for the more they limited the sphere of taxation, the more the landlord would be inclined to have the poor usefully employed upon his property. In Ireland the population was 8,000,000, and the acreage 19,000,000. In England the population was 17,000,000, and the acreage 37,000,000. Yet in Ireland the electoral divisions were only 2,000, while in England there were 15,000 parishes. His plan was simply to substitute parishes in Ireland for electoral divisions, and that wherever a parish exceeded 6,000 acres in extent, the Poor Law Commissioners should have the power of subdividing it, taking care that in no case the property of individual proprietors should be separated. This plan would involve no difficulty, as no new valuations or computations would require to be made. It might be argued against him by those in favour of union rating, particularly by the hon. Member for Limerick, that if they narrowed the electoral divisions, or narrowed the responsibilities of the landlord, they would give a premium to landlords to eject the poor from their estates, and drive them into the towns, where they would congregate and increase the rates. That objection was met by the Amendment introduced by the noble Lord (Lord J. Russell) in the 10th Clause, which provided, "that whenever the rating exceeded 2*s*. 6*d*. in the year, then the surplus should be charged on the union at large." This Amendment would compel landlords to support all such of their tenants who might apply for relief at the workhouse within three years after they had ejected them, and that, he thought, would be a complete bar to the danger which was apprehended by the large towns in reference to this Bill. The hon. Baronet concluded by moving, as an Amendment to the clause—

"That all relief given under this Act be chargeable solely to the parish where the person relieved may have resided for the three preceding years; and in case the said parish should exceed six thousand acres of land, that then and in such case the said parish may be divided into two or more divisions, by the order and under the direction of the Poor Law Commissioners, in such manner as not to place in separate divisions any property belonging to one and the same proprietor; and when so divided, then that the person so relieved be chargeable to the said division of the said parish where the said person may have so resided."

VISCOUNT SANDON said, the proposition of the hon. Baronet seemed to him so essential to the working of the Bill, that he could not see how the great purposes of a poor law could be met without it. If the House expected by this Bill to make the whole poor of Ireland into paupers, they would not pass it; they would not wish to throw two or three millions of people permanently upon the poor rates; but they hoped to produce a state of things by which a new stimulus would be produced to industry. Unless, therefore, the Bill stimulated to new action the landlords of Ireland, who were the only agents through whom the country could be regenerated—for they only, and nobody else, could be everywhere—he did not see how any other effect could follow than that of converting a set of circulating beggars into fixed mendicants. In the first instance, whether the revolution in the employment of industry took ten or twenty years, every man must have as strong an interest as possible to exert himself, and to sacrifice anything for the purpose of confining attention to the land. It was quite clear that the divisions under which it was proposed to administer relief were too large to have that operation; they extended over too wide a surface, and the stimulus was not strong enough upon landlords. At all times it was required that an Irish landlord should be something more than a common man—he ought to be almost more than an heroic character, for he had to overcome more difficulties, with more enfeebled means, than any man on the face of the earth. He (Lord Sandon) did not say the proposition of the hon. Baronet was precisely the one he should have made himself; but the principle was so essential, that he could not but hope it might be adopted. It was said that it would be a premium upon ejectment, and that it would be a return to some portion of the feudal system. There was by the existing system a strong premium upon ejectments. Ejectments were going on, into the highway, into the large towns, and into England, so that even if it had this effect, we should be no worse off than before; but the objection was met by the proposal of the hon. Baronet the Member for Waterford, for giving the right of settlement upon the land from which the party might be ejected. From the first mooting of the question, it had appeared to him that this principle was almost the only one of importance in the Bill. Without it the Bill would be a total failure, and beggary be continued. Subdivisions like those proposed would make both existing and future landlords—for some change in the property of Ireland must take place—exert themselves to make the Bill a blessing to the country, instead of a burden.

MR. LABOUCHERE admitted that under any poor law it was not desirable for the area of taxation to be so large as to deprive proprietors of all inducements to a proper cultivation of their property. At the same time, in his opinion, it would be a false principle to arrange a poor-law system so that each proprietor should take care only of the poor upon his own particular estate, without consideration as to what was going on beyond. He had upon a former discussion used the word "feudal," with reference to the parochial division; but he only intimated thereby that he did not think it suitable to this Bill. The principle adopted was to take the electoral districts as the area of taxation. The electoral districts were not so enormously extensive in Ireland as his noble Friend seemed to imagine. In some instances they were not more than 6,000 or 7,000 acres; there might be some larger; but the average population of the whole, he believed, was but 15,000. There would be great inconvenience if the parochial division were adopted. That was a very old division; the parishes were of the greatest variety in size, whilst they were not more numerous, for there were but 2,500 parishes in Ireland, whilst the electoral divisions amounted to 2,600. There was no machinery adapted to the parochial divisions as there was to the electoral districts. The object, however, of the Motion of his hon. Friend was apparent, for he proposed that where the parishes were large they should be subdivided, that every proprietor might provide for his own poor without regard to any other. The State must consider communities and not individuals—a principle familiar to the English poor law. In the parishes of England no inquiry was made as to which property the poor belonged; the principle was acted upon of dealing with communities and not individual proprietors. The divisions, too, were not so large as to prevent proprietors from exerting themselves for the interests of the poor; and there would be the utmost advantage to Ireland, by obliging the proprietors to meet together and combine for a common purpose of relieving the poor. It would produce the greatest benefit to the operations for relief, and socially there would be great advantage from the mingling together of men of different classes, religion, and politics. The principle of combined exertion for the relief of the poor was one which had many advantages, and was, in his opinion, greatly to be preferred to the system of individual proprietors exerting themselves singly for a similar object; and feeling that it was so much superior, he should be sorry to do anything to discourage it. He hoped, therefore, that the House would not encourage the contrary principle, and he could not agree to the Amendment.

MR. A. STAFFORD O'BRIEN did not think it possible for the Commissioners to arrange the area taxation of Ireland with reference to every particular property, however desirable it might be to alter the system. They should necessarily allow the Poor Law Commissioners great discretion in this matter. He would not go at further length into the question on this clause, as the question relating to the principle of electoral divisions was to be raised on the 10th clause. He was in favour of small area divisions of taxation, and opposed to large ones.

MR. VILLIERS STUART said, that the proposal of his hon. Friend the Member for Waterford, would, if carried into effect, place a large number of persons on the union at large, and consequently would not effect the object which it had in view.

MR. M. BELLEW said, that a measure had been introduced which would be a great pressure on Ireland. They should, in looking to the proposition before them, consider the practicability of remodelling any of the electoral divisions which required it.

MR. SHAW concurred in the principle of charging the rate upon the smaller area. But the division by electoral districts had been already established by the Irish Poor Law; and upon the whole he thought it better than the parochial division. He considered some of the electoral divisions too large; but the number of electoral divisions and of parishes was not materially different; whereas parishes varied much more in their size, and were of a more straggling form than the electoral divisions. They had also less regard to the ownership of property, as the electoral divisions had been formed with a view of not separating properties. He would, therefore, recommend the hon. Baronet (Sir H. W. Barron) not to press his Amendment, but to reserve the consideration of the question of a union or a smaller rating to the next, the 10th Clause.

SIR H. W. BARRON replied. The right hon. Gentleman who had last spoken, and the hon. Member for Northamptonshire, had both expressed themselves favourably towards the principle of smaller divisions; but neither of them had proposed any means to the House for carrying out that principle. If either had pointed out any way in which the system of smaller divisions could be established, he (Sir H. W. Barron) was ready to give up his proposition, and adopt a better. The plan which he proposed was one that had the advantage of requiring no new valuation, and no new trouble, and would be found much better than the existing system of electoral divisions of taxation. Some of the electoral divisions under the existing system were so large, that he knew one which contained no less than 30,000 acres. He would ask the House if such a division as that placed proper responsibility on the landlords, or was calculated to give each sufficient stimulus for the employment of labourers to keep them from going into the workhouse. If the House adopted his plan, they would take a course which would be calculated to carry out the object of this measure, namely, the employment of the people, and thus, as it were, forcing every landlord to employ the poor on his property. The Amendment which he proposed would tend to make this a wholesome and efficient measure; but if it were not adopted, he believed that the Act would break down in its operation, or turn out not to be a wholesome and efficient measure. He was confident that unless the House adopted the principle of his Amendment in some shape, the measure would fail in its operation.

Mr. G. A. HAMILTON called the attention of the Committee to the inconvenience which would arise in carrying the Amendment into effect, in consequence of the great length of some of the parishes in Ireland.

Mr. DILLON BROWNE said, that the great object of the Bill was to induce the landlords of Ireland to give employment to the poor, and that would be best done by establishing uniformity of interest and uniformity of rating. Some inconvenience might arise in particular cases from that uniformity of rating; but, generally speaking, it would be found advantageous in carrying out the object of the Bill.

Sir R. FERGUSON trusted his hon. Friend would withdraw the Amendment.

Sir H. W. BARRON said, that there were in Ireland 2,500 parishes, of which there were between 600 and 700 that could be divided, and thus the whole number of divisions would be 3,500 instead of 2,600, as at present.

Amendment withdrawn.

Clause agreed to.

On Clause 10,

Mr. M. J. O'CONNELL rose for the purpose of submitting to the House the Amendment upon this Clause of which he had given notice—an Amendment which he was induced to bring before the House solely from his conviction of the great importance of the subject to which it related. As the representative of a county which contained very few towns, he thought it more especially his duty to bring forward this Amendment, the effect of which, if carried, would be to place the taxation for the relief of the poor not on those smaller divisions of which they had heard so much to-night, and understood so little, but upon the union divisions at large. When the Poor Law Bill for Ireland was first passed, an attempt was made by Mr. Lucas, then Member for Monaghan, but he was defeated by a large majority. In the other House of Parliament a proposition for that rating was soon after brought in by the Duke of Wellington; and as his influence was reckoned irresistible, the Ministry acquiesced in his proposition, contrary to the course which they had taken in that House, and contrary, as he understood, to the advice of the Poor Law Commissioners. The proposition was defended on the ground of the great advantage which would arise from encouraging the landlord in Ireland to take care of the condition of those on his property, and of rewarding the good and punishing the bad landlord. It did not need much argument on his part to prove that it had not succeeded, for he believed that every one in that House who had advocated district rating now wished that the districts were smaller; but he would quote one paper which had been sent to him by Sir M. Chapman, and which would afford very convincing testimony of the effect of the system. The paper to which he alluded contained resolutions drawn up by the grand jury of the county of Westmeath, and, with the exception of a fanciful notion of taxing fundholders for poor rates, was very well worthy of attention. The grand jury of Westmeath stated, as the result of their experience, that the system of rating by electoral divisions was not a just and equal system of rating, and that it had failed in securing that adequate supervision of the poorer tenantry which ought to be the object of a good system of poor laws. If, then, it had not produced the beneficial effect of securing the supervision of the farmers in the district, what had been the effect of the system on another class of the community—a class more entitled to consideration than any other? What had been its effect upon the towns, and upon the rural districts encompassing them? He would read a petition from the union in which he himself resided, to show what that effect was. The petitioners stated that while the provision in question had not stimulated local employment, it had subjected the electoral division of Killarney to taxation for the support of three-fourths of the paupers in the union. [AN HON. MEMBER: Does the petition proceed from the guardians?] It did not, but from the landowners, inhabitants, and ratepayers of the Killarney electoral division, and had 900 signatures attached to it. The charge for that district of the union for the year ending the 5th of March, 1846, was 311*l.*, while the charge for the whole union was 478*l.* He would also call the attention of the House to another petition, which had been presented by his hon. Friend on his right. It was from the guardians of the poor and the ratepayers of the Thurles division, and they complained that Thurles was rated at 3*s.* 1½*d.* in the pound for the support of the poor, while the adjoining division had not been rated one farthing. The hon. Member for Northamptonshire said triumphantly the other night, when opposing the principle which the Amendment which he was about to propose would embody, that in no case could an instance be found where two electoral divisions had been joined together for the purposes of rating, although the guardians had the power of uniting them. No doubt that was true, for those who paid little for rates were not likely willingly to take a fair share of their neighbours' burdens; such superhuman virtue was not to be expected in these times. He feared, however, that if these inequalities continued, they would lead to fearful disturbances in many parts of the country. He feared that they might lead to collisions and breaches of the peace, quite as bad and more dangerous than any which had been seen of late years in Ireland. He had endeavoured to show how unequally the present system of rating operated, and he would in a word or two show how unjust its operation was. The ejected tenants who were driven from the rural districts became in their destitution a burden not on the district which they had left, but on the towns in which they had passed a small part of their time. The Westmeath gentlemen to whom he had alluded before, adopted the plan of charging the rate for the relief of the in-door poor upon the union; and where out-door relief was given, it was charged upon the townland division to which the pauper belonged. The grand jury of his (Mr. M. J. O'Connell's) own county stated that they preferred that the electoral districts should be reformed, or be subdivided into relief districts. For his own part, however, he could not see any means of providing proper machinery in such a case. If the area of the present electoral division were to be diminished one half, it would only inflict an injury on some of the best landed proprietors of Ireland, and make a dozen Cholesburys in every union in Ireland. He was inclined, therefore, to come to the conclusion that the simplest and best plan was the one which he proposed, of charging the rates to be raised for the relief of the poor on the entire area of the union. He admitted that the proposition in the Bill, which directed that all expenses beyond a sum of 15*d.* in the pound should be charged on the union at large, was a considerable improvement on the present law; but he thought that it would lead to carelessness in the management of the rates when they fell below that amount. The attempt to localise responsibility had failed; and the best way was to make the circle of responsibility and the circle of taxation co-extensive. He knew he had no chance of enforcing his views in the House at present, as he should be opposed by hon. Members opposite, and he was afraid by hon. Members on his own side of the House also. He should, however, take the sense of the Committee on the subject of the Amendment, which he would now propose. The hon. Member then moved that the words after the word "that" in the clause should be omitted, and other words inserted, charging all expenses to be henceforth incurred for the relief of destitute poor persons in Ireland, whether under the provisions of the present Bill, or those of the Statute 1st and 2nd Victoria, c. 56, upon the union at large.

MR. BELLEW was understood to oppose the Amendment, although he admitted that in the country districts of Ireland in particular there was a strong, but he thought fallacious, feeling in favour of the Motion of the hon. Member for Kerry.

SIR R. FERGUSON supported the clause. There was only one union in Ireland in which a general system of rating prevailed, and, which, when the out-door system commenced, was forced to have recourse to the electoral system. Did the question come to division, he felt sure that there would be a large majority in favour of the clause as it stood.

COLONEL RAWDON, in support of the Amendment, cited a number of instances in which the rates in the towns were exceedingly high, whilst those in the rural districts were merely nominal. He would cordially support a union rating. The hon. and gallant Gentleman referred to a letter which he held in his hand, and which he had received from the hon. Member for Mallow. The letter stated that the writer had found, upon going to a place called Churchtown, to collect information relative to the removal of tenants, that twenty-four houses had been pulled down, and that others were awaiting a like fate. The consequence would be, that upwards of 300 human beings would be cast upon the world, and have a legal claim to be charged on the Mallow electoral division. He must caution the Committee that there already existed an almost insupportable pressure of local taxation in the towns, and that if it were proposed still further to increase the burden, the most serious consequences would arise, leading to the greatest difficulty in the collection of rates.

Sir JAMES GRAHAM understood that the hon. Gentleman the Member for Kerry intended to divide the House upon the Amendment which he had proposed; otherwise the very important question which it involved could be with more convenience discussed upon the Motion of which his hon. Friend the Member for Northamptonshire had given notice. The Irish Members would, however, he hoped, pardon him for stating his opinions upon the subject before he gave his vote. He feared that on the eve of the great and alarming, although perhaps unavoidable, experiment to be tried in Ireland, the landowners of that country would derive but small consolation from the discussion of the point now at issue by English landlords, who, notwithstanding their experience of the operation of the poor law in this country, would be found to differ materially from each other. Indeed, as far as he was concerned, he was bound to confess that even his own strong opinion had recently been changed as regarded the subject before the House, by the experience which he had acquired. As to the Irish Poor Law itself, when it was first introduced by the noble Lord the Member for the city of London, he had given it a very anxious and hesitating support. He doubted then whether any material benefit could be derived from its operation when no right to relief was conferred by it, and neither settlement nor power of removal had been introduced. These had been his objections to the measure. The noble Lord combated these objections; and in candour he felt bound to state that the noble Lord was right, and that he had been wrong. His experience led him to the conclusion, that, considering the distressing circumstances of Ireland, great public advantages had been gained by the poor law which had been passed, imperfect as at the time of its introduction he had deemed it. What were these advantages? Ireland was divided into districts, perhaps not of the most convenient extent possible, but still well fitted for the purpose of administering relief to the poor. In the centre of each of these districts was a workhouse. In each of these districts there was a mixed representative body conversant with the system of distributing relief to the poor. There also existed a central controlling authority in Dublin; and, besides this, an equal valuation of property for poor-law purposes existed all over Ireland. These were the principal advantages of the enactment; but there was advantage not only in what the noble Lord had done, but in what he had avoided doing, although he (Sir James Graham) doubted at the time whether the noble Lord was right in the course which he had pursued. The noble Lord had not introduced any law of settlement, nor had he given any power of removal. Now, subsequent experience had made him (Sir J. Graham) think, so far from assimilating the Irish to the English Poor Law, that the time had arrived when the law of England, in respect to these important features, must itself be reviewed; and when it might be found expedient, if not to abolish, at least greatly to restrain, the law of settlement in connexion with the law of removal. Having made these acknowledgments, he must say that he experienced distrust in his own judgment in coming to any conclusion upon the important point now before the House. At all events, it was a choice of conflicting difficulties, let their decision be what it might. Much was, no doubt, to be said in favour of the Motion of the hon. Member for Kerry; and what could be thus said, had been well and pointedly urged in the address of the hon. Member to the House. He (Sir J. Graham) was, however, quite convinced that under the law of rating in Ireland as now established, in many cases towns were exposed to suffer great hardship. It could not be denied that what had been called good management of an estate in Ireland, and that at a day not long gone by, consisted in diminishing the population upon that estate—in clearing it; and the effect of those clearances had been, to drive the poorer portion of the population from the rural districts to the towns, thereby considerably adding to the amount of pauperism in the towns where the ejected tenants were thus congregated. On the other hand, the rural districts had, with reference to the union rate as now collected, a fair *primâ facie* ground for complaint. Although, undoubtedly, there was a general analogy between the union charges in this country and in Ireland, still there was this important difference—the union charges were here defrayed out of an union rate, which was based on the average of contributions of each parish to the poor for three years antecedently to the passing of the Poor Law Amendment Act, and the union rate was levied with a reference to the past pauperism of the subdivisions of the union. Such was not the case in Ireland. The system of collection had reference, not to the pauperism, but to the wealth, of each subdivision of the district. There the rate was levied with reference not to the number of the poor, but to the rental of the landed property of the district. Amid the conflicts of these rival interests, it was very difficult to arrive at any conclusion which should not contain in itself some germ of evil. To the proposition of the hon. Gentleman the Member for Kerry, that we should subject all the unions to an uniform poundage-rate, there were insuperable objections—objections which he could not state more clearly than he found them mentioned in a letter which he held in his hand from Mr. Gulson, a gentleman whose experience and authority on the question would be universally admitted. The evidence of Mr. Gulson before the Settlement Committee was in the hands of hon. Members. In that evidence, as related to England (the circumstances of which country were widely different from those of Ireland), Mr. Gulson was in favour of a change of parochial to union rating; and he assigned very strong reasons in favour of such a proposal. But, with respect to Ireland, he wished to refer to Mr. Gulson's remarks as to the working of the present system of electoral divisions, and to the incalculable advantage which was derived in making it the self-interest of each of the landowners and occupiers in the electoral division to make the amount of pauperism as small as possible. Mr. Gulson, writing at Drogheda, on the 2nd of February, 1843, says—

> "I see an incalculable advantage at work with reference to the care exercised over electoral divisions, both by guardians, ratepayers, and landlords, which would cease when self-interest no longer prompted them to exertion. I see work offered to men by the agent, and by the ratepayers, interested in a particular electoral division, solely because the man and his family would otherwise be applicants for admission into the workhouse. It not unfrequently happens at the boards in my district, on a man applying, that the warden says he will find the applicant work in the division at fair wages, and I often see the guardians exerting themselves legitimately to find employment for those who would otherwise be destitute; because, if taken into the workhouse, the persons would be a charge on the ratepayers of the division. Only last week this occurred in the cases of two applicants at Monaghan, for both of whom employment at fair wages was found. If cases of this kind come under my own eye, it is fair to conclude the same goes on in a tenfold degree where I know nothing of it. Throughout my district, the large farmers, and the guardians, and the agents, are very active in keeping down the expenses of their several divisions; and I constantly, in private, hear them consulting as to the best mode of employing the people, rather than let them go (able-bodied) into the workhouse. If the electoral divisions were done away with, all this stimulus would cease to operate."

When the Government introduced the Bill containing a clause abolishing the electoral district charge, and substituting the union charge, he was bound to say that he had thought the arrangement, as then proposed, on the whole the best. He did think, that in the case of towns there was so much hardship under the present system of rating in electoral divisions only (though he was not insensible to the advantages pointed out by Mr. Gulson), that on the whole it was necessary to enlarge the area on which the new burden should fall. He thought the circumstances of England and Ireland with reference to the employment of labourers from the rural districts not only dissimilar, but in many cases swayed by opposite influences, which should be well weighed and considered; and though he did not go the length of the noble Member for Liverpool (Lord Sandon), still he admitted there was much force in many of his objections. He did not believe that the best system would be the abolition of the electoral divisions, and the substitution of an universal poundage rate throughout the union. On the other hand, he must admit, that the fact of the towns being subjected to great hardship from measures often taken by the landlords for the clearing of their estates, and the consequent flocking of their ejected tenantry into the towns, was well worthy of careful consideration. On the whole, he did not think it possible to devise any course more just and expedient than the middle one now suggested for adoption in the clause as it stood in the Bill. He did not say that the maximum charge of 1*s.* 3*d.* for the half-year was precisely the amount which it was indispensable to retain. It was very important to consider what should be fixed in that respect, for the equity of the measure depended on that amount. He should state that there was an obvious objection to fixing the amount of the rating of the electoral division for a half-year, because by doing so, the principle of thrift in the administration of the law was altogether discouraged, inasmuch as inducement was held out to each electoral division to reach the maximum charge as soon as possible, in order to throw the surplus off the electoral division and on the union rate. He had heard it suggested that the converse of the proposal of the Government was that most desirable: that was, to begin by an union rate of a fixed amount for half a year, and to enact that everything beyond that fixed union rate should fall on the different electoral divisions. There was unquestionably the right principle of thrift in that arrangement, because it would be the interest of every electoral division to make the union rate go as far as possible, knowing that any charge beyond that amount must fall separately and distinctly on each electoral division that was found to have exceeded the sum fixed for the union rate. It was not for him to propose any such alteration; but if the Government thought it worthy of adoption, there were strong arguments in favour of such an arrangement. But if not proposed by them, seeing that they had the best sources of information, and the choice of difficulties being extremely urgent, he should be guided by the decision at which the Government might arrive. On the whole, he thought that the clause as it was framed was just in principle; and, reserving to himself the right of considering whether 1*s.* 3*d.* should be the maximum rating fixed on for the half year, in the main he gave his cordial assent to the Government proposal, and should, therefore, consider it his duty to resist the Amendments of the hon. Members for Northampton and Kerry.

Sir G. GREY said, the original proposal of Government was to allow the in-door relief to be provided for by the present electoral rating, and to enforce a union rating only as to out-door relief. Strong arguments were urged against that plan, and so great a preponderance of feeling against it existed amongst Irish representatives, that it was determined to abandon it. Under these circumstances it was necessary to adopt a course of providing for extreme cases, where there was such an inequality between one electoral division and another, that if an electoral rating only were adhered to it must become overwhelming, and the law must break down. As to the proposal of the right hon. Gentleman, which, though not made in the House before, had been suggested elsewhere, he thought the great difficulty in adopting it, would be to say at what amount the union rate should be fixed. If it were fixed at a very low rate, it would be inoperative as to electoral divisions; and if it were taken at a high figure, it would be in fact a union rating only, it being scarcely probable that any electoral division would incur a higher charge than that fixed for the union. As he said before, he thought 2*s.* 6*d.* a year would only apply to extreme cases, for there were only six unions in Ireland in which the average rate exceeded 1*s.* in the pound, and there were forty-one in which the average was under 6*d.* Under these circumstances, he thought the clause met fairly extreme cases.

Mr. SHAW would vote in favour of rating by electoral districts, rather than by unions at large. He should, therefore, oppose the present Amendment, and support that of his hon. Friend the Member for Northamptonshire (Mr. Stafford O'Brien), for omitting the present clause. The hon. Member for Kerry (Mr. M. J. O'Connell) had referred to the course he (Mr. Shaw) had taken on a former occasion, when Mr. Lucas had proposed a law of settlement for Ireland; but he thought that he could easily vindicate the perfect consistency of that course with the one he was then about to pursue. He had, since the allusion of the hon. Member, referred to *Hansard*, for what he (Mr. Shaw) had said on the occasion of Mr. Lucas's Motion; and, with the permission of the House, he would read one sentence of it to the Committee. It was as follows:—

> "He (Mr. Shaw) still held the opinion he had expressed in the discussion of the Bill of last year, that it would be simpler, and in all respects better, that there should be neither a law of settlement, nor a right to relief. The terms were not quite convertible; but still he thought it easy to show, that the law of settlement, and the right to relief, were so inseparably connected, that the adoption of the one must inevitably lead to the establishment of the other."

Well, then, up to the present time there had been no right to relief in Ireland, and he therefore had objected to any law of settlement; but by that Bill the Government proposed—and the House had determined—to give a right to relief in Ireland with a vengeance. Therefore, although he was not yet prepared for the English law of settlement with all its complication, still he thought the approach to that law which the charging the rate on the electoral division, in preference to the union mode, was essential for the protection and encouragement of those who managed their properties well, and looked after their own poor. He had always been of opinion that the poor law should have been introduced in Ireland very gradually, and by cautious steps in the right direction; whereas he thought that the noble Lord (Lord John Russell) who had first introduced it, was then of the same opinion, but was now taking immense strides in the wrong direction. He had proposed in 1838, and divided the House upon it, that relief in poorhouses should be confined to the aged, the infirm, and the sick; but in that he was overruled, and a discretion was allowed the guardians of granting in-door relief to all the destitute poor whether infirm or able-bodied. Now, that had been extended by conferring the right to in-door relief on all—of out-door relief, without qualification, to the whole class of the permanently disabled, and of out-door relief to the able-bodied labourer, with a qualification which he feared would be no practical safeguard. He, therefore, would grasp at any protection which the rating upon the smaller area could afford; and although he knew it was a question of great difficulty when applied to towns and densely-peopled districts, still it would be no argument to one who took the view that he did to say that those particular localities could not bear up under the limited local rating. He admitted that; but then he said further, extend it to the unions according to your proposed system of out-door relief to the able-bodied; and they will break down too, and even go beyond that, and perpetrate the injustice to the more advanced parts of Ireland, of making the rate in the end a national one throughout all Ireland; and still he believed the national property would sink under it. The noble Lord (Lord J. Russell) said, that his arguments were based upon a supposition that the present calamitous condition of Ireland was always to last. No, he trusted that it would not; but his argument was, that by the present legislation during that state of things, the noble Lord was doing all he could to make it last. For, while nearly half the population of Ireland was receiving public charity, and before they could be weaned from it to any independent subsistence, the Government held out to them the promise of out-door relief as a permanent system under the poor law, which must operate as a temptation to them to continue in dependent pauperism, which it would be contrary to reason and experience to expect them to resist.

MR. M'CARTHY said, the union of Cork comprised fourteen electoral divisions; the rating was 370,000*l.*, and of that there fell on Cork 200,000*l.*, nearly two-thirds of the whole. And what was the proportion of the rating? Six-sevenths of the entire rating of the union fell on the city. This arose from the fact, that from the rural districts near the city, tenants had come into the city who had been displaced by their landlords—had endeavoured to get employment, and had, after twelve months, become chargeable to the city, where they had been resident for that period. At the last audit, accounts for 50,000 rations were approved of, and there was an electoral division on which two rations only were chargeable, although there were several persons from that division receiving relief in the city of Cork. They were dealing with a new system in Ireland—not with the poor law which had existed in England for a very long series of years—and the fair, just, and honest course was to distribute the burdens as equitably as possible.

SIR W. JOLLIFFE did not see that there was any argument against the suggestion made by the right hon. Baronet the Member for Dorchester. It offered many advantages; and as to the amount of the rating, he had known cases in which the rates in England had increased to 17*s.* in the pound, and he saw no reason why they were to expect a different result in Ireland.

MR. CALLAGHAN said, that it was an error to suppose that the principle of electoral divisions was in the Poor Law Bill as it was originally drawn up. It was carried by way of Amendment in the House of Lords. It was there but an experiment; and he must say, that it had been stated to him, by all descriptions of people in the city which he represented, that the working of this principle pressed most unfairly. There had been several public meetings of the inhabitants, of the corporation, and of the ratepayers, and all with one accord pronounced the present system to be iniquitous and unjust. It was supposed that some good might have resulted from bringing the guardians together, in order to fix the quota payable by each electoral division; but the contrary was the result. The opinion of the country had been clearly expressed on this subject by the petitions which had been presented to the House. They found Drogheda, Enniscorthy, Wexford, Mallow, the barony of Leitrim in Galway, Ardee, Thurles, Kilkenny, and Monaghan, petitioning in favour of union rating; whilst, on the other hand, only Waterford, and two or three places of no importance, had forwarded petitions against it. A clergyman, who was well acquainted with his parishioners in the neighbourhood of Cork, on being removed to that town, declared he could recognise upwards of 1,000 paupers living there who by right should be chargeable to his former parish. This was a gross injustice to the ratepayers of the town, and he feared such cases were too common. Whenever a poor man came into a large town, he had nothing to do but apply to the first parish, and was sure of relief. The fact was, that the poor were engendered on the estates of the landed proprietors, and the towns suffered for it. He defied any hon. Member to point out one solitary instance in which a landlord had endeavoured to keep the poor people who had been bred on his estates, or to relieve them; and it appeared to be the sole object of the landlords to drive them out of their land. He wished he could induce the Government to adopt a system of rating which would operate more equally and justly on all classes of the community.

Mr. SHARMAN CRAWFORD declared that he had always maintained the opinion that it was most desirable to make the proprietors responsible for the employment of the people; but there were great difficulties in carrying out the system in Ireland under the present circumstances. Many districts were overburdened with paupers, and he felt that some means of relief must be afforded to the landowners; but, under all the circumstances, he thought the proposition of Her Majesty's Government afforded the most reasonable compromise between both parties, and, while he intended to adhere to the principle of local responsibility, he found himself called upon to support the Bill as it stood. The only thing on which he was not fully satisfied was the quantum of the rate, as he thought the maximum might have been fixed at a higher amount; but that could be corrected hereafter.

Mr. ARCHBOLD opposed the principle of union rating. He resided in what was called a low-rate district, and yet each pauper in it cost 50*l.* a year. They had six paupers in the house, and they had to pay 300*l.* a year for them. So far from agreeing with hon. Members that pauperism was to be attributed to the country, he thought that the facilities afforded by towns for labourers to go away and leave their families, who supported themselves by begging (exchanging the produce of their vocation for small luxuries in the villages), gave great encouragement to mendicancy. He thought union rating would be most injurious to the country at large, and instead of six, they would have innumerable paupers in his own district.

Mr. M. J. O'CONNELL replied: Nothing had occurred in the course of the discussion to shake his opinion on the subject, except the quotation of Mr. Gulson's authority by the right hon. Baronet (Sir James Graham); but he was not the least surprised at that quotation, when he heard it was made in 1843. He could not see on what principle Gentlemen should advocate union settlements and rating in England, and say that Ireland required a different system. He did not trust the predictions they had heard, of injury to the landed interest, particularly when he remembered those which had been uttered in 1838, and were subsequently falsified; and neither those nor the arguments of hon. Gentlemen were sufficiently powerful to induce him not to press the question to a division.

The Committee divided on the question, that the words proposed to be left out stand part of the Clause:—Ayes 120; Noes 25: Majority 95.

List of the Ayes.

Acheson, Visct.
Acton, Col.
Adderley, C. B.
Aldam, W.
Anson, hon. Col.
Antrobus, E.
Archbold, R.
Baring, rt. hon. F. T.
Barnard, E. G.
Bateson, T.
Bellew, R. M.
Bentinck, Lord G.
Bentinck, Lord H.
Berkeley, hon. Capt.
Blakemore, R.
Bodkin, J. J.
Botfield, B.
Bowring, Dr.
Brooke, Sir A. B.
Buller, C.
Bunbury, W. M.
Busfeild, W.
Byng, rt. hon. G. S.
Carew, W. H. P.
Cavendish, hon. C. C.
Chapman, B.
Chichester, Lord J. L.
Cholmeley, Sir M.
Clay, Sir W.
Clerk, rt. hon. Sir G.

Cole, hon. H. A.
Colebrooke, Sir T. E.
Coote, Sir C. H.
Copeland, Ald.
Courtenay, Lord
Craig, W. G.
Crawford, W. S.
Dawson, hon. T. V.
Denison, J. E.
Disraeli, B.
Dundas, Sir D.
Ellis, W.
Escott, B.
Evans, W.
Fielden, J.
Ferguson, Sir R. A.
Finch, G.
Fitzgerald, R. A.
Forster, M.
Fox, C. R.
Fuller, A. E.
Gisborne, T.
Glynne, Sir S. R.
Gore, W. R. O.
Gore, hon. R.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Grey, rt. hon. Sir G.
Grimsditch, T.
Grogan, E.
Guest, Sir J.
Hamilton, G. A.
Hanmer, Sir J.
Hawes, B.
Heneage, E.
Henley, J. W.
Hobhouse, rt. hon. Sir J.
Hoskins, K.
Inglis, Sir R. H.
James, W.
Jervis, Sir J.
Jones, Capt.
Kirk, P.
Labouchere, rt. hon. H.
Lascelles, hon. W. S.
Lefroy, A.
Lindsay, Col.
Mackinnon, W. A.
Macnamara, Major
Manners, Lord J.
Maule, rt. hon. F.
Maxwell, hon. J. P.
Milnes, R. M.
Monahan, J. H.
Mostyn, hon. E. M. L.
Newdegate, C. N.
Northland, Visct.
O'Brien, A. S.
O'Brien, C.
O'Conor Don
Owen, Sir J.
Parker, J.
Patten, J. W.
Perfect, R.
Philipps, Sir R. B. P.
Plumridge, Capt.
Protheroe, E. D.
Repton, G. W. J.
Rich, H.
Romilly, J.
Ross, D. R.
Russell, Lord J.
Sandon, Visct.
Shaw, rt. hon. F.
Sheil, rt. hon. R. L.
Smith, rt. hon. R. V.
Stuart, W. V.
Strutt, rt. hon. E.
Thompson, Ald.
Thornely, T.
Trollope, Sir J.
Tyrell, Sir J. T.
Vane, Lord H.
Verner, Sir W.
Walsh, Sir J. B.
Ward, H. G.
Wilshere, W.
Wood, rt. hon. Sir C.
Wyse, T.
Young, J.

TELLERS.

Hill, Lord Marcus
Tufnell, H.

List of the NOES.

Blake, M. J.
Bright, J.
Brotherton, J.
Browne, R. D.
Callaghan, D.
Collett, J.
Damer, hon. Col.
Dennistoun, J.
Duncan, G.
Ewart, W.
Fitzwilliam, hon. G. W.
Hall, Sir B.
Hatton, Capt. V.
Jolliffe, Sir W. G. H.
Ker, D. S.
Lawless, hon. C.
Layard, Major
M'Carthy, A.
M'Donnell, J. M.
Napier, Sir C.
O'Brien, W. S.
O'Connell, J.
Wawn, J. T.
Williams, W.
Yorke, H. R.

TELLERS.

O'Connell, M. J.
Rawdon, Col.

Question put that the 10th Clause stand part of the Bill.

MR. V. SMITH said, it appeared to him important that the House, before proceeding further with the Bill, should consider the returns moved for by the Under Secretary of the Home Department, showing the proportion of the amount of rates collected to that which remained uncollected. In Skibbereen, where the misery was said to be so fearful, 437*l.* 14*s.* was the amount of rate collected during the past year, whilst the amount of rate uncollected was 1,242*l.* 17*s.* 1*d.*, being just three times the amount of rate collected. This was in the place of which he had heard horrors enough to make the blood run cold. For the whole of Ireland the proportion of rate uncollected to that collected, was 243,632*l.* to 46,442*l.* He wished to ask his right hon. Friend, whether he would be inclined to insert any additional powers of compulsory rating, to give the Commissioners power to compel boards of guardians, when they had themselves struck the rate, to proceed to enforce it?

SIR G. GREY said, the Commissioners had already power to apply for a *mandamus*, by which the collection of the rate could be enforced; and there was one instance in which that power had been exercised.

MR. STAFFORD O'BRIEN rose to move that the clause be omitted. He, and those who agreed with him, deprecated the addition which this clause would make to the change now proposed, regarding that change as in itself a great evil. There was already a power existing to transfer the charge of maintaining a pauper, in case of necessity, to the union; why then, he would ask, needlessly disturb an arrangement so salutary for the purpose of introducing a regulation which must be applied under all circumstances? Some hon. Gentlemen maintained that the misery of the towns was caused by the clearance of estates, and the determination of the landlords to drive the miserable paupers from their own neighbourhood into the towns; but he would contend that the official correspondence, as well as the Acts of Parliament which had been passed, showed that the landlords were not fairly chargeable with pursuing such a line of conduct. By keeping the districts of moderate dimensions, the Legislature would preserve a stimulus to the landlords to afford employment. If this principle were to be abandoned and another substituted, he hoped the right hon. Gentleman would tell them what it was. Could it be said that 540,000 acres formed an area sufficiently small to maintain that stimulus? In spite of all that was said and written, it was far easier to swamp the property than to relieve the poverty of

Ireland. Unless you preserved at some hazards and difficulties the improving landlords, unless you kept them as your seed-corn, if he might use the expression, their difficulties would be worse. The greater the misery and poverty were, the greater the chance that you would swamp the whole union, rather than relieve the electoral division. One great reason why he pressed the right hon. Gentleman to retain the electoral divisions was, that he firmly believed if you altered them at the present moment, the difficulty of collecting the rates would be immeasurably increased. It had been said that this was a question between the towns and the country. If that was the case, were they prepared to sacrifice the greater interest to the less? Was the effect of this clause to be, that the great interest, the mainstay, the prime hope of Ireland, was to be sacrificed? It was of the greatest importance to secure the attendance of farmers at boards of guardians; but if they enacted a union rate, they would inevitably throw the whole management into the hands of the *ex-officio* guardians. If they sacrificed electoral divisions, they must abandon the principle so strongly recommended to their adoption by the Poor Law Commissioners, of making it the interest of a landed proprietor to look after his own property. What principle did the right hon. Gentleman propose to substitute? The question of a national rate had many arguments in its favour—that of minute divisions had also many advocates; but if they took all the indifference of a national rate, and did not at the same time give the justness of its operation, how could they expect to derive any advantage from the change? He recollected that the present Irish Poor Law was brought forward by the noble Lord at the head of the Government, and that it was improved by the right hon. Baronet the Member for Dorchester (Sir J. Graham); it was then sanctioned and approved of by both parties in the House; and all he asked of them now was, not to disturb that arrangement. The men who requested them not to disturb that arrangement were the men who were connected mainly with the great stay and prop of Ireland—its agriculture. The change was sought for by those—respectable doubtless as they were, and entitled to be listened to with attention—but who, he insisted upon it, represented the smaller interests of Ireland. He, therefore, asked of the right hon. Gentlemen opposite to consider well before they disposed of this question. They were about to bring in an Act—or he believed it had been already brought in—to facilitate the sale of land in Ireland. That, he conceived, would be one of the most excellent and useful Acts introduced this Session; but he asked the Government not to nullify that Act. What English capitalist would avail himself of that Act—what other capitalist would avail himself of that Act—and purchase land in Ireland, except he knew what he had to encounter? If a man purchased property in England, he knew the burdens that were on the estate; but take a man to the neighbourhood, suppose of Limerick, to buy an estate, he could have no notion of what burdens would be on it, and there would be a very small inducement to him to carry out the bargain. Let it be recollected that he now proposed no diminished area of taxation. He believed that the electoral divisions were in many places too large, and in no place too small, yet he did not suggest that any change was necessary, save what might be worked out by the existing law. It had worked well, and he hoped it would work better, through the instrumentality of the board of Commissioners which it was proposed to appoint; and he asked of them to leave in the power of that board and of the guardians the same discretion which they now possessed. Nothing, he felt, remained for him now to do, consistently with his duty, but boldly to move the omission of this clause.

Mr. LABOUCHERE said, the hon. Gentleman had asked upon what principle it was Her Majesty's Government had made this proposition with regard to the area of rating; and he could inform the right hon. Gentleman that Her Majesty's Government had not adopted the extreme of any of the principles that had been urged upon their consideration. They had not assented to the proposal of those hon. Members who were connected with towns, that the area of taxation should be in all cases the unions; and they had, on the other hand, agreed to the proposal made by hon. Gentlemen and others connected with the landed interest, that in every case the electoral districts—without reference to the interests of towns—should be adopted. He was aware that this was a difficult and complicated subject. There were some very specious, and possibly some solid arguments that could be urged with reference to it; but all he could say, was this—that on full consideration of the matter, and having consulted with those whom they thought most competent to give an opinion upon it, Her Majesty's Government had come to the conclusion that the course they now proposed, and which was a compromise between the two opposite principles that had been urged upon them, was, on the whole, the most just course that could be proposed to the House. There was certainly one advantage in the principle of the proposal of Her Majesty's Government, namely, that it was a self-acting principle, and he greatly preferred a principle of that kind to leaving a question of this sort to the discretion of any boards of guardians, who might have very contrary interests from one another. He thought it better to adopt some fair principle, which should be self-acting. The hon. Gentleman had said there were difficulties in the way of this proposal, but that there were no difficulties in the way of the proposal he had made. Now, if they adopted the proposal of electoral districts in all cases, how, he asked, would they provide for the paupers in certain cases in towns in Ireland? He found no man, however anxious he might be for the principle of electoral districts in the abstract, who did not admit, if that principle were introduced into this Bill, that there must be some special means adopted to provide for the burden of taxation in the towns in Ireland. He had heard various proposals on the subject; some persons said the taxation should be thrown on the counties at large; but all of those proposals, when they came to be analysed, seemed to be liable to greater objection than the course which Her Majesty's Government had proposed to take. Any person who heard the statements made by the representatives of the various towns, must see that an enormous burden was thrown on the towns, in comparison with the country districts. It appeared that in towns the rate would amount to 2*s.* or 3*s.* in the pound, when the adjoining country districts did not pay more probably than so many pence in the pound. He did not agree in the statement that there was no connexion between the gentlemen in the country and the paupers in the towns. In many instances it occurred that gentlemen, when improving their properties, got rid of a number of their poor tenants, and they very possibly swelled the mass of paupers in the neighbouring town. It was impossible to suppose, in the present condition of Ireland (and he hoped, if such were the case, that it would be effected gradually and humanely), but that there would be a diminution of cottier tenants on estates, who would, of course, when removed, flock into the neighbouring towns. Therefore he conceived they were bound to take this principle into their consideration, if they wished to establish a fair principle of rating in that country. The question now under discussion had been previously discussed, he knew not how many times. It had been brought before the House in various forms and shapes. All he had to say about it was this—he acknowledged to the hon. Gentleman that they were not acting upon any of the extreme principles urged urged upon them, but they adopted a course which they thought was a compromise between those extreme principles, and the best calculated to do justice.

MR. JOHN O'CONNELL was glad the Government was not going to give in to this very transparent landlord job. He thought, however, that the sum of 2*s.* 6*d.* in the year was rather too high, and it would be fairer if it were 1*s.* 6*d.*; but, even as it was, it was an improvement on the present plan, which was a very great grievance to towns.

Mr. CALLAGHAN opposed the Amendment and supported the clause.

VISCOUNT SANDON wished to press upon the House one consideration, namely, that it was for the interests of the towns, especially in a place like Ireland, that the country should be in a state of prosperity; and how could the country be in a prosperous state except by means of improvements on the part of the landlords? It would be a short-sighted view, indeed, if they thought it would be of advantage not to give to the landlords of the country every possible inducement to improve their estates; and he could not conceive the case was well understood if they did not give to the landlord the full benefit of any improvements he made. He should, therefore, support the Amendment of his hon. Friend.

SIR G. GREY said, that last year there was scarcely a union in Ireland in which the workhouses were full. The great expense hitherto had been the building the workhouses, and these were now nearly completed, therefore the increase of the rate to one shilling would not fall so heavily.

LORD G. BENTINCK said: I beg to remind the right hon. Gentleman that we have just granted an advance of ten millions to Ireland. I should like to ask the right hon. Gentleman, what becomes of his shilling rate, with an advance of 10,000,000*l.* sterling on 13,000,000*l.*, and whether he expects ever to see a rate of a shilling in the pound in Ireland again? By every calculation that can be made, it is clear that you have to provide for 275,000 families permanently. Yes, permanently. It is admitted that the potato is done away with. I do not know what prospect there is of potatoes being grown in Ireland this year or the next; and if that be so, what is it you propose to do? To improve the cultivation of the soil, and thereby employ and feed the people? Why, if you were to reckon five men for the cultivation of every hundred acres, you will find that you still have to provide employment for 275,000 able-bodied labourers; and that being the case, the Government now proposes a measure, by which these 275,000 labourers, representing, with their families, a million and a half of people, would have a permanent provision made for them out of the poor law. The hon. Members for the cities of Dublin and Kilkenny have complained grievously of the inroads of rural paupers on the cities they represent. They state that, in consequence of the pauperism of Ireland, Cork and Kilkenny are devoured by the paupers of the country. I should like them to compare the state of the cities with that of the rural districts. First, we will take the city of Cork, which is rated on 195,000*l.* value with a population of 92,000. Let them step across the boundary into the next union, that of Skibbereen, and they will find that union is rated at 98,000*l.* value, with 104,000 people to maintain. I want to know, then, what proof there is that the city of Cork is devoured by the paupers from the union of Skibbereen? The same applies to the city of Kilkenny. That city has, I think, a population of 23,000 inhabitants, and its valuation is about 48,000*l.* Is, then, Kilkenny an example of a city eaten up by the agricultural population? If our consideration is required by the one or the other, it is for the agricultural districts. My opinion is, that it would be the best thing that could happen to the rural districts were they and the town unions to be amalgamated. Look at the union of Ballina, embracing an area of 792 square miles, and a population of 120,000 persons, with only 95,000*l.* to maintain them. Do you not think that in an amalgamation of the city of Cork with Ballina, the latter would be the gainer? Take Dublin, or any other city if you will. Dublin has 303,000 persons to maintain upon a valuation of 900,000*l.*; and would it be no advantage to the rural unions in its vicinity to be united to it? Take the towns where you will, and let their unions be amalgamated with the rural unions, and the latter will be the gainers and the former the losers. My object is to put an efficient control over the expenditure, and one way to do that is to support the proposition of my hon. Friend the Member for Northamptonshire, by which we should reduce the districts over which the rate is to spread. I am convinced that is only by a system of self-reliance that any beneficial results can be arrived at; and as one means of inculcating such a system, the proposition has my hearty concurrence. We have been told to-night by the hon. Member for Kerry that the author of a similar alteration in the Bill, when it was proposed in 1837, was the Duke of Wellington; and I believe the noble Duke's argument was, that if you entered too widely the area over which the union is spread, every man would strive to put his hand into his neighbour's pocket. This argument is as good now as it was then: and therefore I support the Amendment. The right hon. Gentleman the Secretary for Ireland has discovered to-night in the Bill what he calls a "self-acting principle," but which last year was called the "sliding-scale." Those who supported the "sliding-scale," had not last year the hon. Gentleman's company; although he is now attempting to carry a "sliding-scale" for the people of Ireland.

Mr. NEWDEGATE said, one reason why he would support the Motion of his hon Friend the Member for Northamptonshire was, that there was no law of settlement in Ireland. Nothing, he conceived, could be more unwise than extending the area of taxation; for such would make it impossible for the guardians to be personally cognizant of the justice of the applicants for relief. He thought the Government would have reason every day to regret more and more their rejection of the proposition of the noble Lord the Member for Lynn, for the establishment of a really reproductive system of labour. The hon. Member briefly stated the amount of rateable property in England and Ireland, and also the comparative expense of the support of a pauper in each country, as follows:—

Population—England and Wales	16,000,000
Rateable property	63,000,000*l.*
3*l.* 18*s.* 9*d.* per head.	
Population—Ireland	8,000,000
Real property	13,000,000*l.*
1*l.* 12*s.* per head.	

The rateable property of England available for the sustenance of her population, was greater than the rateable property of Ireland available for the sustenance of her population, by 125 per cent. Supposing, therefore, that the pauperism of Ireland bore no greater proportion to the population, than did the pauperism to the population, of England, to maintain the Irish paupers as the English paupers were maintained would require that the rates in Ireland should be more than two and a quarter times heavier than the rates in England; but they knew that there was very much more pauperism in Ireland: the rates, therefore, to maintain the Irish paupers in the same position as the English paupers, must press very considerably more upon the resources of Ireland, as compared with the pressure of the rates in England, than was indicated by the proportion of more than two and a quarter to one—most likely, as three to one.

The Earl of LINCOLN, as he intended to give his support to the Amendment, was anxious to explain, in two sentences, his reason for doing so. He was the more anxious to state his opinion, on account of the manner in which the hon. Member for Kilkenny characterized the Amendment of the hon. Member for Northamptonshire. The hon. Member said, that the object of the Amendment was to help the landlords; and he designated it as a landlord's job. He had not the advantage of being an Irishman; and, therefore, he was not an Irish landlord. He could assure the House, if he viewed the question as between the Irish landlords and the Irish people, he should have much hesitation in supporting the Amendment; but he could not view it in that light. He could conceive some cases in which a few landlords might get an advantage by it; but there were many cases in which the advantage of the Amendment, as regarded the difference between electoral and union ratings, would be, not for the landlords, but for the great body of the ratepayers. He could not admit that this was merely a question between the towns and the landlord. He thought that the hon. Member for Wycombe had conferred a great benefit by the returns which he had moved for, and which were laid before the House yesterday, respecting the valuation for rates in Ireland. From this return the effect of the rating on electoral districts was clearly shown; and as to the allegation, that by such rating the pauper population of the rural districts would be thrown on the towns, it was shown by this return that such a statement was entirely groundless. It appeared from this return, that the value of the property in the town districts was much greater than in the rural districts. He thought that this was a sufficient answer to the argument as to the superiority of their having the rating in union districts, in contradistinction to electoral districts. It had been stated by the right hon. Secretary for Ireland that the result of the Amendment would be to encourage the clearing of estates in Ireland. This might be the case in individual instances; but the right hon. Gentleman dwelt too much on this point. The right hon. Gentleman might advert to the fact of one individual landlord having cleared his estate, and thus thrown a considerable burden on the other districts; but then, he should, on the other hand, take well-managed estates, where no such undue advantage could arise for the landlords, but in which the landlord was entitled to see that an undue burden was not thrown on him by the proposed mode of rating. He was convinced that by either plan individual cases of hardship would be inflicted; but they should look to the interests of the country at large, and not to the landlords alone. He was convinced that the system of union rating would take away a great inducement to individual exertion for the improvement of the country. He should support the Amendment, therefore, on the ground that by the electoral divisions they would be much more likely to obtain that desirable object than by that proposed in the Bill.

Lord JOHN RUSSELL hoped that he should be better enabled to confine what he had to say within two sentences than the noble Lord had been. The noble Lord, as well as the hon. Member for Northamptonshire, argued as if this was the question of union rating; but it did not apply to it. With regard to the union rating, the House had already disposed of it in the Amendment of the hon. Member for Kerry. This proposal was for a very different form of rating.

The Committee divided on the question, that the Clause as amended stand part of the Bill:—Ayes 118; Noes 57: Majority 61.

List of the Ayes.

Acheson, Visct.
Ainsworth, P.
Aldam, W.
Anson, hon. Col.
Antrobus, E.
Archbold, R.
Barclay, D.
Baring, rt. hon. F. T.
Barnard, E. G.
Bellew, R. M.
Berkeley, hon. C.
Berkeley, hon. Capt.
Blake, M. J.
Bodkin, J. J.
Bouverie, hon. E. P.
Bowles, Adm.
Bowring, Dr.
Brotherton, J.
Buller, C.
Busfeild, W.
Byng, rt. hon. G. S.
Callaghan, D.
Cavendish, hon. C. C.
Chapman, W. J.
Cholmeley, Sir M.
Clay, Sir W.
Colebrooke, Sir T. E.
Collett, J.
Copeland, Ald.
Cowper, hon. W. F.
Craig, W. G.
Crawford, W. S.
Dalmeny, Lord
Damer, hon. Col.
Dawson, hon. T. V.
Denison, J. E.
Dennistoun, J.
Duncan, G.
Dundas, Adm.
Dundas, Sir D.
Ellice, E.
Escott, B.
Evans, W.
Ferguson, Sir R. A.
Fitzgerald, R. A.
Forster, M.
Fox, C. R.
Gisborne, T.
Gore, hon. R
Graham, rt. hon. Sir J.
Grey, rt. hon. Sir G.
Grimsditch, T.
Guest, Sir J.
Hall, Sir B.
Hanmer, Sir J.
Hastie, A.
Hawes, B.
Heathcoat, J.
Heneage, E.
Hindley, C.
Hobhouse, rt. hon. Sir J.
Howard, hon. C. W. G.
Howard, hon. E. G. G.
James, Sir W. C.
Jervis, Sir J.
Jocelyn, Visct.
Labouchere, rt. hon. H.
Lawless, hon. C.
Layard, Major
Lemon, Sir C.
Lindsay, Col.
Mackinnon, W. A.
M'Carthy, A.
M'Donnell, J. M.
Maule, rt. hon. F.
Mitchell, T. A.
Monahan, J. H.
Morpeth, Visct.
Morris, D.
Mostyn, hon. E. M. L.
Napier, Sir C.
O'Brien, W. S.
O'Connell, M. J.
O'Connell, J.
O'Conor Don
Ogle, S. C. H.
Owen, Sir J.
Paget, Col.
Paget, Lord A.
Parker, J.
Patten, J. W.
Phillpotts, J.
Rawdon, Col.
Ricardo, J. L.
Rich, H.
Romilly, J.
Russell, Lord J.
Scrope G. P.
Sheil, rt. hon. R. L.
Smith, J. A.
Smith, rt. hon. R. V.
Somerville, Sir W. M.
Stanley, hon. W. O.
Stuart, Lord J.
Stuart, W. V.
Strutt, rt. hon. E.
Thornely, T.
Towneley, J.
Vane, Lord H.
Villiers, hon. C.
Ward, H. G.
Wawn, J. T.
Williams, W.
Wilshere, W.
Wood, rt. hon. Sir C.
Wyse, T.
Yorke, H. R.
Young, J.

TELLERS.

Tufnell, H.
Hill, Lord M.

List of the Noes.

Acton, Col.
Adderley, C. B.
Bateson, T.
Bennet, P.
Bentinck, Lord G.
Bentinck, Lord H.
Beresford, Major
Brooke, Sir A. B.
Bruen, Col.
Bunbury, W. M.
Carew, W. H. P.
Chapman, A.
Chichester, Lord J. L.
Clerk, rt. hon. Sir G.
Cole, hon. H. A.
Coote, Sir C. H.
Corry, rt. hon. H.
Courtenay, Lord
Disraeli, B.
Douglas, Sir C. E.
Douglas, J. D. S.
Finch, G.
Fitzwilliam, hon. G. W.
Forbes, W.
Gaskell, J. M.
Gore, W. R. O.
Goulburn, rt. hon. H.
Gregory, W. H.
Grogan, E.
Hamilton, G. A.
Herbert, rt. hon. S.
Hodgson, R.
Hope, G. W.
Jolliffe, Sir W. H. G.
Jones, Capt.
Lefroy, A.
Lennox, Lord G. H. G.
Lincoln, Earl of
Macnamara, Major
Manners, Lord J.
Maxwell, hon. J. P.
Milnes, R. M.
Newdegate, C. N.
Newry, Visct.
Northland, Visct.
O'Brien, C.
Pakington, Sir J.
Ross, D. R.
Shaw, rt. hon. F.
Spooner, R.
Stuart, J.
Taylor, E.
Thompson, Ald.
Trollope, Sir J.
Verner, Sir W.
Walsh, Sir J. B.
Wellesley, Lord C.

TELLERS.

O'Brien, A. S.
Sandon, Visct.

The House resumed, and adjourned at Twelve o'clock.

HOUSE OF LORDS,

Thursday, March 25, 1847.

Minutes.] Public Bills. 3ª and passed:—Drainage of Land.

Petitions Presented. By Lord Brougham, from Spitalfields, that Persons holding Property in Ireland may be made Responsible for the Maintenance of the Labouring Poor of that Country.—From Radford, Nottingham, for Alteration of the Law of Settlement, and for a National Rate.—By Lord Stanley, from the Isle of Thanet Union, for the Adoption of a Measure making the Landlords of Tenements not exceeding Eight Pounds liable to the Poor's Rates.

VAN DIEMEN'S LAND—SIR EARDLEY WILMOT.

Lord STANLEY said, that although the Motion to which he had to call their Lordships' attention was one of an unusual character, yet as he believed there was no objection on the part of Her Majesty's Government to the production of the papers for which he was about to move, it was only necessary for him to state shortly to their Lordships the nature of his Motion, and the grounds on which he made it. He made this Motion, not of his own accord, but in the fulfilment of an earnest wish expressed by a gentleman lately in the service of Her Majesty's Government, in a distant colony, who complained that at a distance of 16,000 miles from this country, and engaged in the performance of the duties of the office to which he had been appointed, he had been the victim of accusations against his public and private character, which he was prepared to prove were totally unfounded and calumnious. He did not wish, on the present occasion, to enter upon the merits of

Sir Eardley Wilmot's government of this colony—that was a subject totally beside the question which he desired to bring before their Lordships; except indeed insomuch that he would readily admit that there could be no situation in which the observance of the decencies of society and of strict morality was more essential, than in the personal character of a Governor who was placed in the peculiar situation of administering the affairs of a colony like Van Diemen's Land, At the time when he (Lord Stanley) had the honour of filling the office of Colonial Secretary—in the year 1845—he did not deny that several reports had reached him from various quarters, imputing great irregularity of personal conduct and immorality to Sir Eardley Wilmot, and stating that the conduct and the society at the Government House was anything but what was decorous; but, at the same time, when he felt bound to endeavour to ascertain the truth of these rumours, he never could get anything beyond the vaguest and merest allegations; and when he had ever endeavoured, in any direction, to touch upon anything like particulars, it was always said that no particulars need be alleged—the fact was notorious in Van Diemen's Land. In the year 1845 there appeared, in the *Naval and Military Gazette* of this country, a letter, purporting to be written from Melbourne, in Australia, in which those imputations were prominently put forward; and it was stated, that such was the scandalous misconduct at the Government House, that it was impossible for any female in decent society to visit the house, and that the colony was entirely scandalized. That statement he (Lord Stanley) did not see, and therefore it did not attract his attention; but it reached the colony in the month of April, and as soon as it reached it, it was met by a spontaneous declaration of all the principal persons in the colony, that the charge, which was stated in England to be a notorious fact, was, in Van Diemen's Land, considered to be a notorious falsehood. It was stated by the persons who signed that declaration, that they were in the habit, themselves and their families, of holding constant intercourse with Sir Eardley Wilmot at the Government House. That counter-statement was sent back from the colony in the month of April, 1845, and was, he believed, received in this country somewhere about the month of October following. It so happened, at the very time this statement was sent here from the colony, or rather, this refutation of the charges against Sir Eardley Wilmot was sent here from the colony, that his right hon. Friend (Mr. Gladstone), who had succeeded him (Lord Stanley) in the Colonial Department, also heard the rumours; and having from other grounds resolved to remove Sir Eardley Wilmot from the office of Governor of Van Diemen's Land, thought it his duty to address to Sir Eardley Wilmot a despatch marked "secret;" and having stated in his public and official capacity the grounds of his removal from the government of Van Diemen's Land, in this he stated, he felt it necessary to add, that rumours of the description to which he (Lord Stanley) referred, had reached him; and he felt bound to explain to Sir Eardley Wilmot that, unless these rumours were satisfactorily refuted, it would be impossible for him to advise Her Majesty to employ Sir Eardley Wilmot in any other colony. On the 24th of September, 1846, Sir Eardley Wilmot received the first intimation of his intended recall; and his successor, an officer, appointed administrator of the government *pro tempore*, arrived in Van Diemen's Land a few days afterwards. On the 25th of October, the duplicate official despatch reached Sir Eardley Wilmot, and with it the secret despatch, informing him of those imputations against his personal character. Sir Eardley Wilmot forthwith replied to the Secretary of State that he was exceedingly happy to have received this direct communication of the grounds on which he would be induced to abstain from recommending him for service in any other colony; for he was prepared to give not only a peremptory and absolute denial of there being the slightest foundation for any of these rumours, but he was determined to remain on the spot when he was deprived of the government of the colony, and of all authority, and to subject his conduct to the strictest investigation on the spot on which all these rumours appeared to have originated, and where they might, if well founded, be capable of proof. On the next day he laid the despatch before the Executive Council, and requested that after he had given up the office of Governor, his conduct should be strictly and impartially inquired into. The Executive Council having taken this communication into consideration, stated that they thought the best mode of undertaking such an inquiry—if such an inquiry were undertaken at all—was by delegating it to a committee of their own body, with whom they wished to associate the chief justice of the colony, the commander of the troops, the archdeacon of the colony, and a reverend gentleman, the minister of one of the principal churches at Hobart Town. The archdeacon refused to serve on the inquiry, the other gentlemen consented, and by the new Governor, who had then superseded Sir Eardley Wilmot, the matter was referred to the examination of a committee so composed. The committee, on the fullest consideration, reported that it appeared to them that to institute such an inquiry was absolutely impracticable; that no charge that was brought was capable of being directly substantiated, consequently there was no charge that admitted of being directly met; that there was only one mode that could be adopted, and that was to invite any body who had any charge to make against the personal conduct of Sir Eardley Wilmot to come forward and make and substantiate such charges; but they felt, though Sir Eardley Wilmot was ready to submit himself to the inquiry, that this was a course which was open to grave objection, and would form a precedent of an injurious character; that the committee to whom it was proposed to confide the inquiry had no power to summon or examine witnesses; and that statements might be made, whether they were substantiated or not, that would affect, not only the character of Sir Eardley Wilmot, but that would also affect the conduct of third parties, whose names would be brought forward, and whom it would be unfair to include in the investigation. Therefore, they thought it was not expedient to enter upon the investigation: they gave their reasons for that opinion, and said, while they thought the inquiry was impracticable, they deemed it due to Sir Eardley Wilmot to certify, in explicit terms, that, so far as their observation had gone in their intercourse with him, since his arrival in the colony—a period of three years—nothing had transpired that would justify the allegation that he had been guilty of any violation of the decencies of private life. That was signed amongst others, by the chief justice, the commander in chief, and the minister of one of the churches. And, simultaneously, as he (Lord Stanley) was informed, there was a very general address to Sir Eardley Wilmot, signed by the inhabitants to the following effect:—"We, the undersigned inhabitants of Van Diemen's Land, having heard that your recall is in consequence of imputations on your personal character, deem it our duty to express our contradiction of such reports;"—and they stated that they deemed themselves the more called upon to do so from the fact of many of them having differed with him about some measures of his government. That statement had been transmitted to Her Majesty's Government by Sir Eardley Wilmot; and he believed his noble Friend opposite would have no objection to the production of the papers. As to the right hon. Gentleman (Mr. Gladstone) who had succeeded him (Lord Stanley) in the Colonial Department, he could, he believed, say he had no objection to the production of the papers, nor had he any objection to the production of a letter which he thought it his duty, though no longer holding office, to address to Sir Eardley Wilmot. He (Lord Stanley) would express no opinion on the subject; but he thought that when a public officer at a great distance was assailed by rumours that rested on no foundation, or that rested on no fact capable of being substantiated or proved, and when that officer remained on the spot to meet every inquiry, and subject himself to the most rigid scrutiny in that society where it was said his irregularity of conduct was a matter of notoriety, and when from that society, so far as vague accusations could be met, they were met by a positive denial, and when that officer was on such a ground officially informed by the Secretary of State that those rumours would prevent his ever again being employed in the service of the Crown unless they were satisfactorily refuted, it was right, and it was due to that officer that that statement should be put before the public, be accompanied by the refutation of the charge, which, if uncontradicted, must operate most unfavourably on the character and future prospects of this gentleman. He (Lord Stanley) begged, in conclusion, to move for copies of the correspondence which had taken place between the Colonial Office and the Governor of Van Diemen's Land respecting the personal conduct of Sir Eardley Wilmot.

Earl GREY said, that although under ordinary circumstances he should think it extremely inconvenient that a correspondence ending in the recall of a Governor should be called for by Parliament, yet he thought the circumstances of the case were peculiar, and in justice to Sir Eardley Wilmot he thought it right that the correspondence that was called for should be produced. He was the more ready to accede to the proposition, from having learned that the right hon. Gentleman to whom he succeeded in office had no objection that the despatch which he had written should be produced.

Motion agreed to.

House adjourned.

HOUSE OF COMMONS,

Thursday, March 25, 1847.

MINUTES.] PUBLIC BILLS.—1° Fever (Ireland). 3° and passed:—Indemnity.

PETITIONS PRESENTED. By Mr. Smith O'Brien, from Dublin, for Inquiry respecting the Rajah of Sattara.—By Mr. Brotherton, from Tavistock, against the Use of Grain in Breweries and Distilleries.—By Mr. Hawes, from Hays, Irvine, and Co., of Mark Lane, London, for Relief respecting the Corn Importation Act (1842).—By Colonel T. Wood, from Guardians of the Isle of Thanet Union, in Favour of the Rating of Tenements (No. 2) Bill.—By Sir G. Grey, from Ratepayers of the Parish of St. George the Martyr, Queen Square, London, for Extension of the Baths and Washhouses Act.—By Mr. F. Baring and other Hon. Members, from several places, against the Government Scheme of Education.—By Mr. Lockhart, from Glasgow, for Encouragement to Emigration (Scotland).—By Mr. M. Bell, from Blyth, against the Repeal of the Navigation Laws.—By Mr. J. O'Connell, from several places, for Alteration of the Poor Relief (Ireland) Bill.—By Mr. S. Herbert, from Guardians of the Poor of the Aldenbury Union, and Colonel T. Wood, from Guardians of the Poor of the Parish of Saint Luke, Chelsea, for Repeal or Alteration of the Poor Removal Act.—By Mr. Lockhart, from Glasgow, against the Registering of Births, &c. (Scotland) Bill.—By Lord Dalmeny and Mr. Lockhart, from several places, for Compensation respecting the Registering of Births, &c. (Scotland) Bill; and the Marriage (Scotland) Bill.—By Mr. Houldsworth, from Radford, for Alteration of the Law of Settlement.

THE POOR OF IRELAND—CONDUCT OF THE GOVERNMENT.

On the Order of the Day being read for going into Committee on the Poor Relief (Ireland) Bill,

MR. J. O'CONNELL rose to call the attention of the Government to the appalling consequences which had followed the execution of the instructions given to reduce by 20 per cent the destitute persons employed on public works in Ireland. He was sure that the noble Lord the First Minister of the Crown had intended, when he advised this course, to do that which he considered to be the best for the condition of the Irish people; but letters received from Ireland by every post contained intelligence that the reduction of the number of labourers would entail the most lamentable consequences to the suffering people. He supposed the reduction was to be carried out by the Commissioners of Public Works, who considered themselves not at liberty to exercise their judgments with respect to the requirements and attendant circumstances of the various districts. It should be borne in mind that these men were not thrown upon the resources of private works, neither were they thrown upon their own resources; for—God help them!—they had none left: but they were doomed by an unexpected and undeserved edict to a terrible, painful, and immediate death. He held in his hand a letter from the rev. Bernerd Duncan, parish priest of Kilcanduff, in the deanery of Swinford, county Mayo, descriptive of the dreadful sufferings of his parishioners, and expressing the alarm which he entertained at the consequence which would inevitably ensue, were the people to be deprived of their only resource, and dismissed from their employment. The rev. gentleman wrote—

> "The union contains a population of 11,000 persons. The greatest number of persons employed at any time did not exceed 1,800, which was considerably below the scale generally allowed. The consequence of a great portion of the public works being suspended is, that the people are actually starving. It is my firm conviction, that unless the works are immediately resumed (of which there is at present no appearance), or unless God especially interposes to save them, numbers must inevitably perish."

He had also received a letter from the rev. Malachy Duggan, parish priest of Carrigaholt, descriptive of the state of things in his neighbourhood. The rev. gentleman wrote—

> "The greatest terror and dismay reign here to-day. The one-fifth of the working lists will be struck off to-morrow. We know what will happen. Of this we are certain, that many will die who have no resource to sustain life but the labour of their hands. Oh, what legislation! All the machinery has been wrong from the commencement."

In the *Freeman's Journal* of Tuesday, the 23rd instant, there were also to be found a number of letters similar in their character, and all expressive of the most melancholy forebodings regarding the consequences which must result from the sudden reduction of 20 per cent of the employed poor. One of those letters was dated "Ballyglass, county Mayo, March 20," and the writer said—

> "Relative to the Government order for striking off 20 per cent of the labourers now employed from the public works, and the effect produced by this terrible edict among my parishioners, I have to inform you that yesterday, for the first time, I received a communication from the chairman of our relief committee upon this subject. I waited on the inspecting officer at Castlebar, to remonstrate with him on the cruelty of such a proceeding, particularly as he knew the awful amount of destitution in the neighbourhood. I told the inspecting officer that out of 1,200 families in Bal-

lintubber and Killavalla, there were not 12 who had one hundredweight of seed oats; that they were all on the same level, without food, without money, without any resource on earth but the public works to enable them to drag out a miserable existence; that until some other substitute were provided for the people, to close up this only resource would be signing the death warrant of every individual thrown out of employment. I showed the officer the census of the parish from our committee register; and though he could not deny that the most dreadful consequences were to be apprehended, still his answer was, 'that the Government orders were peremptory.' As a member of the Ballintubber relief committee, I shall not be a party to so reckless a measure. The landlords of this district have, up to this, shown no concern for the lives of their tenantry under this terrible visitation. The great sensation caused by the report of this reduction from the labour list, brought several members of the surrounding committees, and crowds of poor half-starved wretches, to Castlebar, our county town; and there was a general feeling of horror manifested at the conduct ef the Government—so much so, that there was a general determination among the clergy, and the more humane members of the committees, to refuse lending themselves to a measure calculated, if not intended, to destroy the people. Eight hundred families in Killavalla—the tenantry partly of two noblemen and of a rich baronet—have been living during the last three months on the proceeds of their daily labour, averaging from 3*s.* to 4*s.* a week from each family, while meal sold at 3*s.* and 3*s.* 6*d.* the stone. Numbers have perished already from hunger and dysentery—hundreds are at this moment tottering on the brink of the grave. The whole country presents an appearance of a barren waste, deserted by its people—no cultivation. The people have no seed to sow, and have no food to support them, if they even had the seed; and the landlords look on with calm indifference at thousands of human beings, whom they have stripped of the last shilling, writhing in the agonies of hunger. Next week will be one of the most eventful weeks ever recorded in the annals of human suffering. The lives of thousands are in the scale, and oh! it is frightful to contemplate what the consequences may be, if Divine Providence does not come to the rescue of an oppressed and injured people."

Another corresponding note from Balla, on the 22nd inst., was to the following effect:—

"I hasten to inform you that the ukase has been rigidly enforced in this district. The poor who have been dismissed are loud in their complaints, and I have no hesitation in stating that they must inevitably starve, as they have no resources to fall back on for their support. The Government are acting in real or affected ignorance of the appalling destitution that prevails in this district. How truly has Dean Swift declared that 'we are in the condition of patients who have medicine sent them by doctors at a distance, strangers to their constitution and the nature of their disease.' These persons removed must perish, or live by plunder. I suppose the framers of this measure imagine that we have a substantial class of yeomen here, who might employ at tillage the persons who were put off the works. But, alas! we have no such men. The best part of the lands in this district belongs to absentee farmers, who employ none but the herd to take charge of the stock. The Government are already aware that the poor have no seed, and there is no disposition evinced to supply them with it. Is it not a melancholy fact to see the garden plots not even dug, which the poor would have done if they were able to purchase cabbage plants, which are sold at the exorbitant price of 1*s.* 10*d.* per hundred. I should have informed you that the miseries of the poor who were thus peremptorily dismissed will know no bounds, as there is yet no provision for supplying them with food."

Another, writing from Kells, said—

"The order for disbanding the labourers has been carried into effect, and the people so dismissed crowded round the parochial house to-day, with tears streaming down their manly cheeks, and agony in their every look, asking what was to become of their now starving wives and children. Large grass farms surrounding us on every side, and the spring sowing being now nearly completed, no employment whatever was to be had. Such were their heart-rending exclamations—and no wonder—for in a week, if unrelieved, they and their families must certainly perish. As yet, no provision whatever has been made for their relief. I ask, in the name of a merciful Heaven, what is to become of our brave, and faithful, and industrious people?"

Another gentleman writing from Ballinagh, county Cavan, on the 21st instant, reported—

"The check clerks here have received instructions from the inspecting officer to have twenty per cent of the people employed at the relief works dismissed, and that on yesterday this order was carried into effect. This dismissal has created both alarm and confusion, for almost every person to be so dismissed is the occupier of only from four to five acres of land; and they are, without exception, in a much more destitute state than the common labourer, as they are subject to rent and other taxation. There has been no provision made for their support; and they will doubtlessly, by this dismissal, be reduced to utter starvation. They are still conducting themselves peaceably; but their murmurs, which they are endeavouring to suppress, denote the exasperation of their minds, and it is much to be feared will ere long explode like the pent-up volcano, in robberies and the destruction of property."

Another from Clones, county Monaghan—

"I have to announce the terrible fact that one-fifth of the least destitute of the labourers employed have been actually dismissed from the public works. Unfortunately, there is no immediate likelihood of their being employed in tillage. Except a few cases of housebreaking in the town of Clones, and some pillage through the county, no overt acts of tumult have yet appeared. The people, in fact, exhibit a patience too passive for praise. No provision has as yet been made for the dismissed, and there is none for the destitute except that which has long existed (a relief committee), that gives one pint of soup in the day to each person on their lists. From this small allowance a large number is altogether cut off."

The same state of things existed everywhere. Another gentleman from Limerick wrote :—

> "Let it end as it may, it is only Providence alone can be thanked if mischief does not follow the unparalleled experiment of disemploying 141,000 hungry men. Generally speaking, we tremble for the result; they have not time as yet to come to any plan, being so detached from each other, as the farmers cannot employ them."

Such statements as those ought to command the serious attention of the Government. He feared the introduction of the clause suggested by hon. Gentlemen opposite to preclude from relief the occupiers of land, if it were only half an acre, would be productive of the most lamentable consequences. The accounts which were daily received from all parts of the country bore testimony to the wonderful patience of the people; but, at the same time, they expressed fears that if the Government did not speedily interfere, and afford relief, that outrages would become frequent, and that property would be no longer secure. Something ought to be done by the Government immediately. The food depôts in every district were filled; but the difficulties which attended the formation of relief committees under the temporary measure, were productive of so much delay that thousands would expire before the relief was extended. He understood that it was necessary to hold five meetings before those committees could be got into working order. If such were the case, ten days or a fortnight would elapse before even, in the most favoured districts, the temporary relief measures could be carried into practical effect. If they were dealing with an inanimate article of machinery, they might be able to form a correct calculation as to the length of time it would last; but they could not thus estimate the duration of human life. The people had literally no means of existence. He implored the Government to order the depôts to be opened and food to be distributed among them, before death in its most hideous shape carried off its victims wholesale. The statements of the Gentlemen in that House who represented those starving multitudes, were surely worthy of consideration at the hands of the Government. He felt convinced no Irish Member could be found to oppose his prayer when he implored the Government, in the name of the perishing people of Ireland, to act energetically, and at once to prevent that appalling annihilation of human life which inevitably would ensue unless relief were extended immediately. Thousands had died already—thousands must die before even that temporary relief could be extended; but once more he implored the Government to act at once to prevent the most fearful consequences to an entire people.

Mr. SMITH O'BRIEN could confirm all that had fallen from the hon. Member. It was understood by hon. Members, on both sides, that the Government had given instructions that the greatest care should be taken that the people should not be discharged from the public works until other means had been provided to enable them to procure the means of subsistence. He believed that the greatest confusion would follow the putting in force the order for dismissing persons from the public works to come into operation on Saturday last. The Government ought instantly to put in force the Act for the constitution of relief committees. It was seven weeks since the Temporary Relief Bill passed through the other House, and he could not conceive why the relief committees had not been constituted. If the relief committees had been previously appointed, many of the people who now crowded the workhouses would have had something to fall back upon.

Mr. LABOUCHERE could assure the hon. Member for Kilkenny, that he agreed with him in the opinion, that however necessary it might be to reduce the number of persons employed on public works in Ireland, and to put an end, as speedily and quietly as possible, to the present system, yet that the greatest caution should be used in effecting any change. He had, on a former occasion, stated the plan laid down for the mode of proceeding by the Irish Government, viz., that on a certain day, not that twenty per cent of the people employed in every district on public works should be discharged, but that in the aggregate twenty per cent of all those at present employed should be put off, leaving it to the discretion of the Irish Government to decide upon the proportions to be removed from each district. It would be necessary and proper to make a general reduction; but the Irish Government was left to the exercise of its discretion in making the several reductions by districts, as the Executive in Ireland could best decide where it might be dangerous or improper to make any change, and when a change might be with propriety and safety made. That was the general answer he had to give to all quarters upon that subject. But he could not sit down without referring to a circumstance which he felt the greatest gratification in stating to the House. It was the immense quantity of provisions that was pouring into the ports of Ireland, the result of private enterprise. He had been very much struck by reading an account, on the preceding day, in a Limerick newspaper, of the quantity of provisions brought into the single harbour of Limerick by the ordinary operation of trade. He had previously mentioned to the House a similar fact with regard to Cork. But the article to which he now alluded stated that—

> "On taking a retrospective view of the imports into the port of Limerick since the pressure of scarcity in the local provision market became urgent, we find that the vessels arrived in port from the 1st of September last, landed over 50,000 tons of bread-stuffs of all sorts to this present week—an event without parallel in the records of our harbour. There were 150 sail of vessels in the Shannon on Monday last."

Mr. **SHAW** quite concurred in the doctrine, that they could never have a sound state of society, or a wholesome condition of the labouring population in Ireland, until all the persons then employed in pauper labour were removed from that dependence; but still the transition would be difficult and full of danger to the suffering poor. He felt that no arbitrary rate of reduction, such as twenty per cent of those employed, could be safely applied; and he thought, practically, the regulation to be safe should be—not to discharge those poor people until some temporary means of relief, under the Temporary Relief Act passed that Session, should be provided for them.

Sir **GEORGE GREY** quite agreed with the right hon. Gentleman so far as referred to the stoppage of public works generally. But it would be found by reference to the instructions to the Lord Lieutenant of Ireland, that it was not intended that the relief works should be immediately discontinued. Some of the accounts received from Ireland stated that in some parts the landlords declined to advance money to their tenants for the purchase of seed, because they had not been paid the last year's rent. That, with the fear of the tenants, on the other hand, lest they should be called on for arrears, were the two causes which had been before alluded to, as preventing to a considerable extent the cultivation of the land. But it also appeared that the abstraction of labour from the tillage of land by the employment given by the Board of Works, operated so detrimentally, that many persons who were anxious to till their land could not obtain sufficient labour. The Government, therefore, thought it necessary to direct the putting off of some of the labourers from the relief works, feeling assured that there was now ample employment to be obtained in the country by those put off.

Lord **G. BENTINCK** said: Sir, I cannot allow the observations of the right hon. the Secretary of State for the Home Department to pass without some notice. The right hon. Gentleman told the House that, although cultivation might be going on in some parts of Ireland, yet in other parts it was discontinued, and discontinued from causes over which the Government had no influence. The Earl of Besborough, in January last, wrote a letter to the First Lord of the Treasury urging him to supply the farmers in Ireland with seed, and stating that in many parts of the country it was not possible for them to obtain seed without assistance. Captain Wynne wrote to the same effect; and then the Government came down to this House on the first fortnight of the Session, and announced that it was the intention of Her Majesty's Government to advance 50,000*l*. But now, at the eleventh hour, and after Her Majesty's Government have for a whole month given the people of Ireland reason to think they would receive assistance from the Government, you have disappointed them. I think Her Majesty's Government have exercised a most pernicious influence over the cultivation of the soil. There are hundreds of thousands of farmers in Ireland, who, when they heard that the Government were prepared to advance 50,000*l*. for seed, and when they recollected that the Lord Lieutenant of Ireland had persuaded the Government to advance money —not for grass seeds, but for corn seeds— relied with confidence on receiving such a supply from the Government. But now, at the last hour, when it is too late for the farmers of Ireland to purchase seed with their own funds, the Chancellor of the Exchequer comes down to the House and tells the Irish people, from his place here, that the 50,000*l*. is to be advanced, not for corn seed, but for green crop seed, of which the farmers will not be able to avail themselves till the summer time. I want to know whether, under these circumstances, Her Majesty's Government are not greatly to blame for the vacillating course which they have taken with regard to this matter of seed? There was an observation, too, of the right hon. the Chief Secretary for Ireland, which I cannot suffer to pass without notice. The right hon. Gentleman has glorified himself and the Government for allowing the people of Ireland to take care of themselves. He has told us that since the month of September, that is to say, in the course of six months or more, 50,000 tons of provisions have come into the ports of Limerick. Why, Sir, I recollect reading that in one week in the course of this year 30,000 quarters of grain went out of the port of Limerick. So that, after all, what did this importation of the 50,000 tons of provisions amount to? It might be true, that now provisions were imported by private speculators; but what compensation is this for the deaths of some 200,000 persons who have died of starvation or pestilence, while we have been waiting for this supply? If the Government had but one-tenth of the sympathy shown in Boston by the Americans for the starving people of Ireland, all this food might have been supplied at least six months ago. By the last return we were told that though the number of meal depôts had been diminished, yet in extent they had been increased, and that it was quite a mistake to argue that, because there were only twenty-four meal depôts now, where there were ninety-three when the Government came into office, that the amount of provisions distributed was in like manner diminished. I looked at the last return, and what did I find to be the amount of provisions distributed? On the week ending the 6th of March, the amount of meal distributed was 262,000 lbs.; or about 1,048,000 lbs. a month, not the eleventh part of the food distributed by the late Government in the month of June last, when the famine was not the ninth part of what it is now. I think, under these circumstances, the right hon. Gentleman the Chief Secretary for Ireland has little cause to congratulate himself, especially when he reflects on the hundreds of thousands of persons who died under his administration of affairs in Ireland.

Mr. WILLIAMS thought it most important, when such charges were made against the Government, that a weekly statement should be laid before the House of the number of persons employed on public works in Ireland, and at what cost to the Government, that the people of this country might distinctly understand what they had to pay for destitution in Ireland, and how little the gentry of that country did to relieve it. He called upon Irish gentlemen to take a lesson from the people of England in one of its poorest districts. He observed from a newspaper that had been sent to him, that in a small town in South Wales, where distress existed in consequence of the failure of the potato, oat, and barley crops, 3,000*l.* had been subscribed in one week for the purchase of food, and an order sent to a great mercantile house for 1,000 quarters of corn. It was calculated that 24,000 quarters of corn would be required for the supply of that district, but no appeal was made to those unconnected with the locality; the magistrates and gentry of South Wales themselves took most prompt and effectual means to secure relief. Why had not similar exertions been made in Ireland?

The CHANCELLOR of the EXCHEQUER hoped the House would not be dragged into a general discussion, but would at once go into Committee, as it was most desirable that progress should be made with the Irish Poor Law. He did not rise to make any reply to the speech which the noble Lord had repeated with his old accusations. He would take no notice of the noble Lord's assertions; they had been refuted more than once. He would only remark, that the weekly return alluded to by the hon. Member for Coventry, had been made by the Government, and had been ordered to be printed; it was intended to continue those returns weekly.

Colonel RAWDON thought the attack which had been made on the Government by the noble Lord the Member for Lynn most unnecessary. He particularly regretted that one in the noble Lord's position had disadvantageously contrasted the conduct of the Government with that of the people of the United States of America. He had representations from the county of Wicklow in which fears were expressed, that the public peace could not be maintained unless great caution were exercised in discharging the men now employed on the public works.

The CHANCELLOR of the EXCHEQUER said, that as a general reply to such letters as that quoted by the hon. Member, he had seen a private letter from Colonel Jones, in which it was stated that the reduction of the numbers employed in various places on the public works had been effected quietly, and without any unpleasant results having followed. It was, of course, impossible to speak of particular districts, but generally the reduction had passed quietly off.

COLONEL RAWDON said, that the letter, which was from a noble Lord connected with the country, was at the service of the right hon. Gentleman, to whom he was ready to show it.

MAJOR LAYARD thought the attack made upon the Government most unjustifiable. As to the verdict agreed to some time ago, by a coroner's jury in Ireland, he thought that also most unjustifiable: but some allowance might be made in such a case for the feelings of people, excited by scenes of misery around them. But as to the attack made by the noble Lord, he should say, before the House and the country, when the Government had made every exertion to meet the state of distress, that the attack was most unjust and unjustifiable.

VISCOUNT SANDON wished to ask a question of the right hon. Gentleman the Secretary of State for the Home Department. In consequence of the extraordinary influx of Irish paupers, great difficulty existed as to the machinery for removing Irish and Scotch immigrants. He spoke not with reference to the increased charge on the poor rates, but to the apprehended propagation of pestilence in the town he had the honour to represent. He wished to know if the right hon. Gentleman was prepared to suggest any plan by which greater ease of action should be given to the existing rule for pauper removals. When they came to deal with thousands and tens of thousands, the existing machinery would be found impracticable. Of course, there was great unwillingness to remove any parties unseasonably; they would be more at liberty to do so when provision was made for the relief of the poor in their own country. Perhaps some new arrangement might be made in the Committee on the Poor Law Bill.

SIR G. GREY had received representations from Liverpool with reference to this subject. He did not think there was any general disposition to send back the Irish paupers until this Bill passed, changing very materially the right to relief in Ireland. The law with reference to orders for removal, ought to be made more efficient; but he did not think any provision for that purpose could well be introduced in Committee on this Bill. A Vagrants' Bill would be introduced, which would afford a more fitting opportunity for amending the existing machinery for removals.

MR. SHAW begged to ask the right hon. Baronet, whether it was not true, that although a great number of paupers had arrived at Liverpool from Ireland, yet that a much larger number of the poor in and about Liverpool had presented themselves to the authorities, professing to be from Ireland, and seeking relief under that pretext, and that the Government had instituted an inquiry on the subject?

SIR G. GREY stated, that an investigation had taken place with reference to the number and description of Irish paupers in Liverpool. It was quite true that a certain number who had been resident there for some time, had come out of their ordinary dwelling-places and presented themselves in the streets of Liverpool as newly arrived from Ireland; but the representation he had received was, that 60,000 had arrived from Ireland within the year, of whom 20,000 came with the view of emigrating to America, while the other 40,000 either remained in Liverpool or were spread over Lancashire.

MR. NEWDEGATE would take that opportunity of saying, that he thought the observations of the hon. Member for Carlow (Major Layard) on the noble Lord the Member for Lynn, were totally inapplicable and unjustly severe. The hon. Gentleman had seen that Members on that (the Opposition) side of the House were determined not to continue the discussion; and it was not consistent with fairness that he, under such circumstances, should have made those remarks.

MR. CARDWELL said, he had received a letter from a magistrate of Liverpool, in which he said—

> "Of course no one can desire to remove the poor people without adequate provision being made for their sustenance at home. The influx of paupers continues, and for the last few days has exceeded 2,000 *per diem*. In a few days we shall have a new fever hospital, capable of receiving 400 additional patients."

He agreed that the proper time to remove the technical difficulties in the way of the removal of Irish immigrants would be when the Vagrancy Bill was before the House.

MR. P. SCROPE said, the account read by the right hon. Gentleman (Sir G. Grey) of the number of Irish immigrants was dated the 17th of February, and gave the number, up to that period, at 60,000; but as immigration was going on at the rate of 2,000 a day, the number that had reached Liverpool must be from 120,000 to 140,000. The Government were exerting themselves to the utmost to put an end to the terrible state of things in Ireland;

and he hoped they would not waste their time by answering party attacks, which had been so repeatedly answered already.

Mr. GROGAN hoped, that when the Irish immigrants were returned to their own country, care would be taken that they would not be quartered on the inhabitants of Waterford, Wexford, Dublin, Belfast, and Drogheda, but be made chargeable to the districts from whence they emigrated. With respect to party attacks on the Government, he wished it to be borne in mind that the subject had been twice introduced by Gentlemen on the Government side of the House. It appeared that the Government could not control their own friends. A very large number of Gentlemen of all ranks had been appointed in Ireland, under the new commission, for relief committees, and he wished to know from what funds they were to be paid?

The CHANCELLOR of the EXCHEQUER: By a vote of this House.

Lord J. RUSSELL said, the Vagrancy Bill had been prepared, and would be shortly brought before the House. With regard to the preservation of the public peace in Ireland, he had no fear whatever. The Government would be responsible for the public tranquillity. Colonel M'Gregor, who was at the head of the police, had no fear of a breach of the peace. Notwithstanding the great number of military and police required to escort provisions for the use of the destitute, he had no doubt of the public tranquillity being preserved.

Mr. D. CALLAGHAN said, there was a general complaint in Ireland of the neglect of the Government to furnish the farmers with seed, as had been promised. He could bear testimony to the fact that the people had not the means of sowing the ground.

Mr. BELLEW thought the attacks made upon the Government, with respect to Ireland, were altogether uncalled for.

Sir A. BROOKE hoped the Government would not supply seed to the landlords of Ireland. He could only say, for himself, that he would rather sell the coat off his back than ask of Her Majesty's Government any favour to which he was not entitled; particularly at a time when Irish landlords were taunted, both in and out of doors, with asking favours. He thought the Government had done as much as Irish landlords had a right to expect; and he, for one, was grateful for what had been done.

Mr. DILLON BROWNE said, the question was, whether the Government ought to supply the tenants with seed where the landlords neglected that duty. If they did not do that, they would have a great deal of the land of Ireland uncultivated; and the country, most probably, would display a repetition of the scene of Skibbereen next year, in consequence of the Government refusing to make a slight advance at this moment. He begged to state, that he had received accounts from every quarter in Mayo denying that a combination existed against sowing the land, as had been stated; and requesting him to ask the right hon. Gentleman the Secretary of Ireland to point out where such a state of things existed. On the contrary, the people were most desirous to cultivate the land, but they had not seed, and the majority of the landlords were either unable or unwilling to give them the seed.

Sir W. JAMES, as an independent Member of the House, would express his opinion, that the Government, upon the whole, in the difficult and arduous circumstances in which they had been placed, as far as effort, energy, and a sincere wish and desire to give relief to the famishing people went, though they might have erred, perhaps, rather on the side of generosity, had discharged their duty to the country conscientiously. With respect to giving seed to the people, he begged to ask the attention of the House to a letter, contained in the correspondence of the Board of Works, from Commander Fishbourne, who stated that a Mr. Mahon, in the county of Clare, had provided 800 stone of seed wheat for some of his tenants; but he found that they ate it: he then had some steeped in sulphate of iron, so that it could only be used for seed, and offered it to them, but they refused it: he then offered to take the land into his own hands and sow it for them, and pay them over the balance; but they refused that. This was surely a strong corroboration of the statement which the right hon. Secretary for Ireland had made.

Mr. G. A. HAMILTON said, he merely rose to correct a misapprehension into which, as he thought, several hon. Members had fallen with respect to the observations made by the noble Lord near him, the Member for Lynn. Some hon. Members had attacked the noble Lord in no measured language, for having accused Her Majesty's Government of neglect and apathy in not having supplied the landlords or the people of Ireland with seed. Now, as he understood the noble Lord, the matter of his complaint was quite different. He had complained, not that the Government had not supplied seed, but that they had held out the promise of doing so nearly two months ago, and then, on reconsideration, a short time ago, had felt themselves unable to fulfil the expectation which they had themselves created. He (Mr. Hamilton) would not say a word on any other subject; for he concurred with those who thought that their first duty was to go into Committee and dispose of the Bill; but, he would repeat, this was the charge made by the noble Lord, and it had not been answered.

Subject at an end.

THE NEW BISHOPS.

Mr. J. COLLETT begged to ask the noble Lord at the head of Her Majesty's Government, whether he did not intend to introduce four new bishops into the Bill, of which notice was on the Paper. He wished to know whether any such intention was in contemplation under the Bill, having the very modest title of "a Bill for Amending the several Acts for the Appointment of Ecclesiastical Commissioners for England."

Lord JOHN RUSSELL said, it was his intention to bring in the Bill to which the hon. Member alluded on the first Tuesday after the holidays. In that Bill he was prepared to propose some alterations in the existing law; but it was not his intention to introduce four new bishops in that Bill, nor indeed one bishop.

POOR RELIEF (IRELAND) BILL—COMMITTEE.

House in Committee on the Poor Relief (Ireland) Bill. Mr. Greene in the chair.

On the 11th Clause being read,

Mr. JOHN O'CONNELL moved to omit the words that declared it expedient to increase the number of *ex-officio* guardians. He trusted he should be supported in this Amendment by those English Members whose object in passing this Bill was that of strongly and heartily making the property of Ireland support its paupers. He was not, as he said before, at all certain that the Bill would be effective; but he was still, under the circumstances of the country, willing that the experiment should be tried. He would put it to English Members whether there was not a striking inconsistency in bringing forward this clause at all. What was the reason assigned for the introduction of the Bill? Why, it had been stated in that House over and over again that this extended Poor Law Bill was necessary in the present crisis, because, as the House considered, a large portion of the landlords of Ireland would not do their duty by the poor unless forced by a system of compulsory taxation to do so. And yet what did they find? They were about handing over to the exclusive management of these gentlemen, whose conduct they impugned, the very matter in which they accused them of gross negligence. They told the Irish proprietors that they would compel them to feed the poor, but they provided no means of doing so. They said to them, "Your conduct has been very bad; you have been deficient in your duty towards the poor. You must suffer and be taxed for your conduct, but we shall leave the amount of that taxation to yourselves. You are to tax yourselves as much as you please, and no more." The *ex-officio* guardians formed a very large proportion of the present boards, being one-third of the entire; and the landlords had, besides, a plurality of votes, first as owners and then as occupiers, according to the scale laid down in the existing Act. They also exercised great influence under the system of proxy voting—a system that worked the greatest evils, and produced the greatest frauds in Ireland. It did no good, and there was no practical check on the party holding the proxy papers, who might be a person having no right of his own, and holding the proxies of parties that had no existence. Under this system the landlords had great influence over the farmers and labourers on their estates; and the party of the *ex-officio* guardians were thus able to obtain a large majority on the boards. To suppose that these men would give extensive relief, was to go against the experience of the past; and if they resolved to restrict the relief, there was absolutely no remedy against them. He did not think there had been any case made out for the clause. The property of the elected guardians was as dear to them as that of the *ex-officios;* and he thought some attempt ought to have been made to prove them guilty of wanton prodigality before their power was taken from them. There could be no doubt, however, but that they were more inclined to lend a humane ear to the wants of the poor than the *ex-officio* guardians. The hon. Gentleman read several extracts from letters, from the parish priest of Cootehill, the rev. Mr. Dillon, parish priest of Ballinasloe, the very rev. Dr. O'Rafferty, of Tullamore, and other Roman Catholic clergyman in Ireland, condemning the proposed increase of the *ex-officio* guardians in the strongest language, and alluding to particular acts of intolerance committed by them. He could, if he wished to detain the House, read many more extracts of a similar kind, and more particularly the resolutions of the meeting of clergymen from which the very rev. Dr. Collins and the rev. Mr. M'Carthy had been sent as a deputation to this country, and which were of the strongest kind against the proposed increase in the number of the *ex-officio* guardians. He next came to the most painful part of the subject, and one which he would endeavour to deal with as briefly and as lightly as possible. He meant the interference with the religious feelings of the paupers by the guardians. It appeared, by returns, which though not laid before Parliament, had been made with great care, that in all Ireland there were 2,600 Protestant magistrates, and only 410 Catholic magistrates. This disproportion was the more severely felt, as, strange to say, the borough magistrates, amongst whom chiefly were the Catholics, were not allowed to become *ex-officio* guardians. The Protestant *ex-officio* guardians of the counties interfered with and controlled the religious teaching of the Catholic pauper children; and that injustice would be necessarily much increased if this clause were carried. In the North and South Dublin unions there had been very strong instances indeed of such interference; but he would not go into particulars unless required. He would only say, that in both the Dublin unions the Catholic chaplains and Catholic guardians unanimously protested against particular acts, declaring that if persevered in they would be religious grievances. The Protestant guardians unanimously voted in favour of these acts; and in consequence of the number of *ex-officio* guardians having the majority on the boards, they succeeded in inflicting the grievance in both cases. They were backed out, he regretted to say, by the Poor Law Commissioners: but in the North Dublin union the case was too flagrant, and the Commissioners, after endeavouring to make the Catholic guardians be silent, were forced to give way. In the case which occurred in the South Dublin union, and which took place only a few months ago, the Catholic guardians were treated with complete contempt by the Commissioners. He wished to say nothing against the Protestant members of these boards individually; but he had to accuse them of bigotry in the execution of their duty as guardians of the poor. As for the Catholics, all they claimed or desired was non-interference and perfect equality for each sect. The noble Lord at the head of the Government expressed his belief, that a better spirit was growing up among the different religious parties in Ireland, and hoped that this spirit would be soon fully realized. He would remind the noble Lord, however, of what happened in that House. An Irish party was formed at the commencement of the Session, and it was hoped that at last both parties began to see they had been made the tools of others, and that their country suffered in consequence. It was supposed that they were united on the principle of some little degree of mutual concession being made. The Catholic members of that party did make such concession. Up to this hour there had not been on their part a single call made to the House to look into the exuberant and overgrown revenues of the Established Church, notwithstanding that they were in a time of national calamity, when even the imperial revenues were threatened to be drained, and when every person possessing any species of property in Ireland would soon feel, if they had not already felt, the strain that was put upon them. Nothing could be more proper than if they called upon the House at once to originate some plan by which the Church of a small minority in Ireland should have its surplus revenues made applicable to the wants of the country; but under all the circumstances they did not do so—they remained completely silent on the subject. But was there any similar concession made by hon. Members from Ireland sitting opposite? He alluded to this subject merely to make the House aware of the spirit that existed among the class to which the *ex-officio* guardians belonged. A Bill had been proposed to repeal a few empty words—to repeal words which were not only confessed to be empty and useless, but which, it was admitted, the present state of society would not endure to give them any practical effect whatever. They were only valuable as a means of insulting the Catholics. They were avowed to be a mere *brutum fulmen*, which could not be acted upon; and the Catholic Members were watching to see what would be done in that case. It was quite possible for the Irish Members on the other side of the House to have stayed away when the discussion took place on that Bill. But they could not do so. The habit of intolerance was too deeply rooted within them to let them relinquish the chance of keeping up this wretched miserable shred of bigotry against their Catholic countrymen, and they accordingly came and spoke and voted against it. And yet these were the men to whom the House was about giving a power of interference with the Catholic chaplains and the Catholic pauper children of the workhouses in Ireland. They talked of happy times coming; but he asked them to look at the conduct of men of high character and of education, and occupying a foremost place in every social relation of life; but who, when touched on the point of their old ascendancy prejudices, at once become intolerant and inclined to act with tyranny. The Catholics were a very small minority in that House, and they could expect but very little response to any Catholic feeling. In that House, where Protestant feelings and—he did not use the word offensively — Protestant prejudices prevailed, the Catholics had very little hope of his Amendment being carried. But still they would make an appeal to English Members on this question. They would tell them fairly and frankly that the Irish Catholics could not submit to it. If they passed this clause, they would permit the Protestant guardians to tyrannise over Catholic pauper children. They would thus give a signal for the commencement of a religious agitation such as had not yet been witnessed in that unfortunate country; and he could tell the House that the Catholic Members would feel bound to make it an effective agitation. By passing the Bill with this clause, provision would be made for religious intolerance and persecution, and for the exercise of ascendancy in its most cruel form against those classes of the people who could not help themselves; the seeds would be sown, and the foundations laid, of a most miserable and bitter agitation, which it sickened the soul to think of. He therefore called upon every friend of peace between men of different religions—upon every person who hated dissensions upon subjects too sacred for dissension, to vote for the Amendment which he proposed.

Sir G. GREY wished to express, on the part of the Government, and on his own part, his entire concurrence with the opinion the hon. Member for Kilkenny had expressed, that in thus providing a measure of relief for Irish poverty, the rights of conscience should be respected, and every reasonable precaution should be taken against the infringement of those rights. In proposing this clause, the Government never dreamt that it would have the effect ascribed to it by the hon. Gentleman. He deeply regretted that the introduction of it had occasioned any discussion involving religious considerations. Not that he blamed the hon. Gentleman; he respected the warmth of the hon. Gentleman's feeling on behalf of the Church to which he belonged; and he agreed with the hon. Gentleman that every proper precaution should be taken to prevent the members of that Church, whilst receiving the funds provided for relief under this Bill, being subject to any infringement of their religious liberty. But the Government thought, that whatever objection might be entertained to the existing arrangement in respect to religious differences, it would be to a certain degree diminished by this clause. The hon. Gentleman had rested his objection to the clause upon the religious part of the question. With regard to that part of it, the hon. Gentleman drew his inferences, as to the probable working of this clause, from the actual state of things in Ireland at the present moment. He said, that all the magistrates, speaking in general terms, who were now *ex-officio* guardians, were Protestants; and that the consequence was, that tyranny was exercised over the minds and consciences of the inmates of the workhouses, if they were Roman Catholics, by the influence of those magistrates. The Government had certainly thought that in proposing the alteration embodied in this clause, far less opportunity would be afforded for the exercise of any religious feeling of the kind. By a return which had been laid before the House, it appeared that in a great majority of cases the effect of this clause would be to let in the whole of the justices resident in the union, who, without the possibility of any exercise of religious feeling, be they Protestant or Roman Catholic, would immediately become *ex-officio* members of the board. In all those cases where the present objection existed of a partial selection of magistrates as *ex-officio* guardians, it would be put an end to by this clause, as all, whether Roman Catholics or Protestants, would be *ex-officio* members of that board. In England it was quite true, that all justices resident in any union became *ex-officio* guardians; and it was thought that when it was proposed to add a great burden to property in Ireland, there should also be an increase in the representation of the property in the boards of guardians. That was the motive with which this clause was proposed; and he must remind the House that a much larger portion of the rate fell upon property in Ireland than was the case in England. In England the occupier paid the whole of the rate, though there was not much difference in the end, because, by arrangement, it came ultimately to be paid by the landlord. But in Ireland the liability was, in the first instance, thrown exclusively upon the landlords in the case of tenements rated under 4*l.* per annum; and in all cases above 4*l.* the landlord was, in the first instance, in some cases liable to half, and in many cases to considerably more. Now, looking to the increased amount of the rate likely to be paid by the operation of this Bill, it was thought proper that there should be an increased representation of property in the boards of guardians; and when the Government came to consider the extent to which that should go, they thought of a small increase only, similar to that which was proposed in 1843; but that proposal was not accompanied by any such measure as this Poor Law Bill; and they thought also that it would, in connexion with that Bill, be open to the objection that there would still be the power of selection, and that that selection might be partially exercised, and might have been attended with those prejudicial results which the hon. Gentleman anticipated from the clause as it now stood. It was impossible to meet such objections as the hon. Gentleman had urged against the clause, by exactly balancing the number of Roman Catholic and Protestant magistrates; but he thought that Clauses 48 and 49 of the present Act had made special provisions with regard to this subject, of which the hon. Gentleman could not complain, and which, at the same time, showed the intention of the Government to guard against any interference with the religious liberty of the inmates of workhouses. He sincerely trusted that the clause would not be productive of the results stated by the hon. Gentleman; but if there should be any real and well-founded apprehension of that kind, he thought it would be better met by a direct provision in the law, than by any indirect mode to limit the number of *ex-officio* guardians.

MR. SHAW earnestly deprecated any party, or personal, or acrimonious spirit being introduced by Irish Members into that debate. The feeling in England and in that House was sufficiently hostile towards them in respect of that Bill to make them stand by each other, or at all events differ—for independent men of course must differ on many of the questions that came before them, but differ—without any personal animosity, as he and his hon. Friend near him, the Member for Limerick (Mr. Smith O'Brien), did; differing on that clause, and indeed on most political subjects *toto cœlo*. It had been the bane and curse of their country that they had always been played off against each other, sect against sect, and party against party —and, for God's sake, let it not then be class against class. What else had kept them and their country down, but a want of that self-reliance and mutual independent respect which had too much characterized all classes of their countrymen, and made them on each side a sort of tacitly consenting parties to a system of Irish inferiority which had been acted on to such an extent that, up to the accession of the present Government, it was almost assumed that Irishmen were unfit for the government, and incapable of filling the highest offices of their own country? So, with regard to landlord and tenant—to the higher and to the lower classes—he knew of no separate interests that should divide them. In his heart he believed that their real interests, when well understood and comprehensively viewed, were identical, and that they must stand or fall together. He would endeavour to state his reasons for suppporting that clause, and his own Amendment going somewhat beyond it, in a mere business-like manner, without offence to any class or person. First, then, he thought that the existing boards of guardians had not attended exclusively as they should have done to matters of business, but had entertained political questions upon the repeal of the Union, and topics of that nature; and that there was not that large class of substantial farmers in Ireland that there was in England, from whom a board of guardians could be elected. He felt, moreover, that as that Bill would impose a large additional burden on property, it was but just that property should be represented at the board more fully than it had been; and a number of well-educated men would be secured for the administration of the affairs of the union. The hon. Member complained of the proportion that Protestants bore to Roman Catholics in the magistracy. He was sorry that the hon. Gentleman had made any such reference to religious distinctions; but as the hon. Gentleman had, he must answer, that the proportion was as nearly as possible the same as their relative property and numbers in that rank of life from which the magistrates were taken. Then as to the case of religious persecution at the South Dublin union, upon which the hon. Member relied—it really amounted to nothing more than the removal of one Roman Catholic schoolmistress, who had charge of the Roman Catholic children in the school of the workhouse, as she was thought incompetent for the duties of a schoolmistress—and another Roman Catholic mistress being appointed in her stead. He regretted that the hon. Member had spoken of what he called the exuberant revenues of the Established Church, for at any time they afforded scarcely a decent maintenance to the clergy of the Church; but during the present calamity in Ireland, he might safely say, that a sum equal at least to the whole of those revenues had been voluntarily devoted by the hands of the clergy of the Established Church to the sufferings of the poor, who were principally Roman Catholic. Then the hon. Gentleman upbraided the Irish Members on his side of the House, for their bigoted conduct that Session on the Bill of the hon. Member for Kinsale (Mr. Watson). Now, he believed he was the only Irish Member on that side who had spoken on the Bill, and his was not a very bigoted speech; for all he had said was that he did not desire to disturb the settlement of the Roman Catholic question which had been made in 1829; that the rest of the Bill was unimportant, and the essential part of it that which went to unsettle that question, by the repeal of the securities which had, in 1829, been conceded to the Protestant supporters of the measure; and that, therefore, he opposed the Bill of the hon. Member for Kinsale (Mr. Watson). He thought the speech of the right hon. Baronet the Home Secretary rather in favour of his (Mr. Shaw's) proposal that all the magistrates should be *ex-officio* guardians, than of the Government proposal, that there should be a number elected by the whole body equal to the elective guardians, as in his plan there would be no opportunity of a partial or party selection; but as, from the return laid upon the Table of the House, it appeared that in 118 out of the 130 unions, the magistrates were not equal in number to the elected guardians, he did not think the difference between the proposal of the Government and his own of sufficient importance to justify him in dividing the House upon it, and he would leave the matter in the hands of the Government.

Mr. BELLEW observed, that several hon. Members expressed apprehensions with respect to the working of the Bill. Now, he entertained an entirely different view of the subject, for he had always been in favour of a Poor Law for Ireland, and he should strongly oppose anything which threw difficulties in the way of making an adequate provision for its pauper population. The House had that day heard a statement from the Secretary of State for the Home Department; and he could not help saying he did not think that that right hon. Gentleman had succeeded in making out the case which he sought to establish. Any one acquainted with Ireland, and taking an impartial view of the condition of that country, would feel that the Irish landlord had at present quite enough of influence. He greatly regretted that religious feeling had entered so much into the present discussion. The introduction of religion into proceedings of this nature opened a door to the renewal of scenes which he hoped had been closed for ever. He could not see how any other but party and religious questions would arise, where property was all on one side, and the population on the other. There were 2,600 Protestant magistrates on the one hand, and only 400 Roman Catholics upon the other, so that the Roman Catholics could have no more than one-sixth of the *ex-officio* guardians. There was, therefore, a decided preponderance in favour of one religion over the other. He hoped that the Government would take measures to prevent, as far as possible, the exhibition of any feelings of religious animosity in the operations of the Act.

Sir JOHN WALSH was desirous of making a few observations upon the Bill, as an English Member, though somewhat connected with Ireland, and the sincere advocate of religious toleration towards our Roman Catholic fellow-subjects in Ireland. As such he much regretted the tone that had been adopted by some hon. Members in speaking of this clause. If the opinions expressed by hon. Members as to the extent of religious animosities in Ireland were borne out by the facts, they would lead to the conclusion that they must despair of effecting the social improvement of Ireland. If religious dissensions prevailed to such an extent in Ireland as to affect the whole constitution of society, and affect it in such a manner that no question could be entertained without the subject of differences between Protestants and Catholics being raised, that would be a bar to all improvement whatever. The question to which this clause referred was an economic and civil question, and the religious question could not by possibility be raised unless as a collateral question, and by implication; and yet it was said that it would be impossible for Catholics and Protestants to meet on the same board for the purpose of carrying out its provisions, without the introduction of religious dissensions and animosities. He should deeply regret the existence of such feelings; but if they prevailed, it would not be advisable or wise for the Legislature to recognise them in its acts. The Legislature had already removed religious disabilities, and they ought not to do anything by their public acts which would tend to keep alive the feelings of animosity to which those disabilities gave rise. It had been assumed in the discussion of this clause, that the landlords of Ireland were in a position of antagonism to the people; but that was a principle which, in legislating for Ireland, he was not inclined to recognise, for it was calculated, if acted upon, to be highly injurious to a measure containing a principle of self-government that required a great deal of harmony and good feeling, in order that it might be effectually carried into operation. With regard to the attendance of *ex-officio* guardians, he could state that in England they were men of such station, intelligence, and respectability as to be placed beyond the suspicion of any unworthy motives, and were looked upon as most efficient in carrying the poor law into effect; and if that were the case in England, he thought that their attendance in Ireland must be attended with similar results, inasmuch as the Irish elected guardians were chosen from a lower class than those of England, and did not generally possess the same position and intelligence as the elected guardians of England, and therefore they would more require the co-operation of the intelligence of the *ex-officio* guardians. He thought that a Bill which would repudiate and ostracise the landed gentry of Ireland, and prevent them from taking a part in the administration of the business of the country, would be a very great misfortune. If it were said that there already existed too great a desire on the part of the Irish landlords to reside out of that country, would not an Act which would deprive them of the opportunity of administering the affairs of Ireland—a duty which naturally belonged to them—have a tendency to increase that desire to reside out of the country? He supported the clause because he believed that it would be impossible that the Bill could work well if the gentry of Ireland were not allowed their proper share in administering it.

MR. SHARMAN CRAWFORD said, the question for them to consider was, whether the landed proprietors of Ireland, from their conduct in past and present times, possessed a claim on the people of Ireland and on the Legislature for a greater amount of influence on the boards of guardians than that which they enjoyed under the existing law. He spoke of the landlords of Ireland as a class, for he was ready to admit that there were many amongst them who discharged their duties in a manner that reflected credit upon them. As a class, then, he would ask what claim had the landlords of Ireland for this increased influence on the boards of guardians? He was an Irish landlord, and he had felt it his duty on a late occasion to introduce a resolution to that House, which resolution contained the assertion that the main evils which affected the people of Ireland were caused by the manner in which the relations of landlord and tenant were treated by the proprietors of landed property in Ireland; and he proceeded, in introducing the resolution, to argue that the grievances under which Ireland suffered were caused by the existing relations of landlord and tenant; and if hon. Members would refer to all the evidence which had been given before the House on the subject of the relations of landlord and tenant in Ireland, they would find that his view was borne out. He thought that the protest which was promulgated by a great number of the landlords of Ireland, was well calculated to enable the House to judge whether they were fit to carry out the objects of this Bill, and whether it would tend to carry the objects of this measure into operation if the Legislature increased the influence of the landlords of Ireland upon boards of guardians. The Labour-rate Act had failed because the landlords of Ireland had not carried out its provisions as they ought; and he would add, that if they had acted properly in carrying out that measure, it would have proved to have been a serviceable instead of an injurious measure for Ireland. The magistrates of Ireland were allowed to investigate the nature of the presentments that were made; but they did not act as they should have done in many of those presentments, and instead of selecting those which were best, they yielded to popular clamour. He would state another circumstance which would enable the House to form a judgment as to the claims of the landlords for a greater share of influence on the boards of guardians, namely, that it appeared from the information which he had been enabled to obtain from various sources, that the most difficult rates to collect in Ireland were those for which the landed proprietors were responsible. It was found much more easy to collect rates from the poor man than from the landlord. He repeated, therefore, that, as a class, the landlords of Ireland had no claim to come before the House, and before the people of Ireland, and ask for greater influence on the boards of guardians than that which they already possessed—to ask for greater control in carrying out this Act. The tenants of Ireland were now very poor; they had been racked out by the landlords, who had drawn the heart's blood from the people by obtaining extortionate rents, and all this had been caused by the want of proper management on the part of the landlords of the relations between landlord and tenant. All the landlords who showed themselves deserving of being elected guardians would be elected, and thus they would be enabled to carry out the provisions of the poor law in a more efficient manner than if they were appointed *ex-officio* guardians. It would therefore be a wiser course to rely on the good sense and good feeling of the people for electing those landlords who had properly discharged their duties, than to adopt a provision for placing them on the boards of guardians as *ex-officio* members.

Mr. SMITH O'BRIEN did not think that any grounds had been shown by the right hon. Gentleman opposite for the change which was proposed by this clause. He was not surprised that hon. Gentlemen near him (on the Opposition benches) should support the proposition for this increase of *ex-officio* guardians; but it was somewhat strange that the right hon. Gentleman opposite should volunteer this concession to the Conservative party. It had been assumed, that the proposition for the increase of *ex-officio* guardians had emanated from the Irish Party; and it was only fair to them to state that it had not emanated from any such source. It had emanated from the Whig Government, and was a concession to the Conservative feelings and tendencies of that House. No arguments had been brought forward to show that the landlords of Ireland had not been properly and fairly represented on the boards of guardians; and on the contrary, he thought it fully appeared that the landlords possessed their fair and just amount of influence on these boards. It was said, that this would make the proportion of *ex-officio* guardians to be elected assimilate to the proportion which were members of the boards in England; but it was his opinion, that if the subject were inquired into with sufficient attention, it would appear that the *ex-officio* guardians in England were no more than one-third of the whole. He thought it would be a great mistake on the part of the landlords of Ireland to accept this provision, inasmuch as they ought to rely on the goodwill and good feeling of the people to elect them.

The CHANCELLOR of the EXCHEQUER said, they had been often told that it was their duty to endeavour to assimilate the laws of Ireland with those of England. Now, the proposition under discussion was no concession to any party or class, but an assimilation of the law of Ireland, as far as practicable, to the English law. That law worked remarkably well, and in many parts of England could not be carried out without the presence of a great number of *ex-officio* guardians, the occupations of the elected guardians leaving them but little leisure to attend to its administration. The right hon. Member for the University of Dublin had called upon the Government to extend the principle to the whole body of magistrates; but he apprehended that they had gone as far in its application as the circumstances of Ireland would permit, in some parts of which the number of magistrates would be found, under the right hon. Gentleman's plan, to exceed that of the elected guardians to an extraordinary degree.

Mr. DILLON BROWNE said, the hon. Member for Limerick had described this clause as a concession. He would tell him to whom it was a concession. It was a concession to that party with whom the hon. Member was so strangely allied; a concession to the landlords of Ireland for the purpose of conciliating them in a place where they possessed some influence. He opposed the clause because it gave a weight to the landlords calculated to outbalance the great electoral principle. He could conceive nothing so well calculated to make both the Bill and the Government unpopular in Ireland; and had such a proposition been introduced by the noble Lord the Member for Lynn, it would have been laughed out of the House. The landlords of Ireland, generally speaking, were influenced by a bitter hostility towards the Roman Catholics; and the same influences would be manifested in the carrying out of this Bill if they were appointed *ex-officio* guardians. He gave the noble Lord great credit for the manner in which he treated the deputation that waited upon him on this subject. He wished, however, that the noble Lord had taken some of the advice that was then offered to him, and taken measures to have the Church property of Ireland restored to its original owners. If this course had been taken, there would be no necessity whatever for any poor law in the country. If they left the matter as it was, there would be a sufficient number of magistrates in the board of guardians; but if they increased them in the manner proposed, they would destroy all the good effects that were likely to arise from such a measure.

Mr. FITZGERALD said, the landlords of Ireland were remarkable for their bigotry and intolerance towards the Roman Catholics, and this clause would encourage and strengthen those feelings. He would ask those who were in favour of the clause, whether they would not be influenced by religious feelings? The Irish Party had been spoken of—what had been the acts of the Irish Party? The only acts he knew of which had emanated from the Irish Party were the resolutions he (Mr. Fitzgerald) had signed. Let the Government adopt the suggestion which had been made to it—of restoring to the people of Ireland the Church property; let that property be applied to its original uses; and there would be no occasion to pass a poor law; there would then be sufficient for the education of the people without any Maynooth grant. The clause under discussion would give great power to the magistrates and landlords of Ireland. Hitherto, there had been the greatest harmony between the magistrates and the boards of guardians. If this clause should pass, religious animosities would be renewed with greater bitterness than ever. If the law were left as at present, there would be a sufficient number of persons for boards of guardians, and the influence of the boards would be for the good of the country; whereas the addition of *ex-officio* guardians would destroy all beneficial influence there.

Mr. LEFROY was satisfied with the clause as it had been introduced by Her Majesty's Government. The right hon. Baronet the Secretary of State for the Home Department had given most important and convincing reasons for the introduction of a certain number of magistrates. With respect to what the hon. Member for Tipperary (Mr. Fitzgerald) had said of the danger that religious bitterness might be renewed, it was the object of both sides of the House to get rid of religious differences in Ireland. He thought Her Majesty's Government were justified in introducing and maintaining the clause, not only for the protection of the rights of property, but in order to secure the Bill's being carried out beneficially. For these reasons he should support Her Majesty's Government.

Mr. CALLAGHAN said, the magistrates of Ireland were not, generally speaking, persons who should be entrusted with extraordinary powers; and he hoped the noble Lord would not insist upon a greater number of *ex-officio* guardians than existed at present. The average number of magistrates in the poor-law unions in England was not more than six or seven; but there was in Ireland a much greater number, say thirty-five or thirty-seven magistrates in some unions, who would exercise an influence anything but beneficial at the board. The present clause, if carried, would bring the Government into general contempt. He would support the Amendment.

Mr. V. STUART did not doubt the integrity or competence of the persons proposed to be made *ex-officio* guardians, yet as it was adverse to the wishes of the people that they should be appointed, and as their nomination would render the law less efficient, he should resist the clause, and support the Amendment.

Major LAYARD was strongly persuaded that such a clause would effectually prevent the well-working of the whole measure. In three whole counties there was not a single Roman Catholic magistrate, so that what was now proposed could never give satisfaction to the great majority of the inhabitants of Ireland. The clause to which he had objected, had not been originally inserted in the Bill; it was brought in to meet the wishes of an individual, and would be the Chandos clause of the Bill, as there was a Chandos Clause in the Reform Act. It would never be viewed with a favourable eye by the people of Ireland.

MR. STAFFORD O'BRIEN supported the clause, as he said, not upon Conservative principles, or in reference to the due representation of property, but because he was convinced that if the lower orders in Ireland could be polled, it would be found that the majority were in favour of having their affairs managed by gentlemen, and not by elective guardians.

MR. ESCOTT urged that it was not fit to make boards of guardians in Ireland non-elective. He was surprised at this endeavour to impose boards of guardians upon the people.

The Committee divided on the question that the words proposed to be left out stand part of the Clause:—Ayes 154; Noes 26: Majority 128.

List of the AYES.

Acheson, Visct.
Adderley, C. B.
Ainsworth, P.
Archbold, R.
Arkwright, G.
Austen, Col.
Baillie, H. J.
Baine, W.
Baring, rt. hon. F. T.
Bentinck, Lord G.
Beresford, Major
Berkeley, hon. C.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Bodkin, J. J.
Botfield, B.
Bouverie, hon. E. P.
Bowring, Dr.
Broadwood, H.
Brooke, Sir A. B.
Brotherton, J.
Buck, L. W.
Buller, C.
Bunbury, W. M.
Busfeild, W.
Carew, hon. R. S.
Carew, W. H. P.
Cavendish, hon. C. C.
Chandos, Marq. of
Chichester, Lord J. L.
Clay, Sir W.
Clerk, rt. hon. Sir G.
Cole, hon. H. A.
Colebrooke, Sir T. E.
Corry, rt. hon. H.
Courtenay, Lord
Cowper, hon. W. F.
Craig, W. G.
Cripps, W.
Damer, hon. Col.
Deedes, W.
Denison, J. E.
Dickinson, F. H.
Disraeli, B.
Douglas, Sir H.
Douglas, J. D. S.
Duff, J.
Duncan, G.
Duncombe, hon. A.
Dundas, Adm.
Dundas, F.
Dundas, Sir D.
Dundas, hon. J. C.
Ellice, rt. hon. E.
Ellice, E.
Ferguson, Sir R. A.
Finch, G.
Fitzmaurice, hon. W.
Fitzwilliam, hon. G. W.
Forster, M.
Fox, C. R.
Fuller, A. E.
Gaskell, J. M.
Gore, W. R. O.
Gore, hon. R.
Gregory, W. H.
Grey, rt. hon. Sir G.
Grimsditch, T.
Grogan, E.
Hamilton, G. A.
Hamilton, W. J.
Hastie, A.
Hawes, B.
Henley, J. W.
Hobhouse, rt. hn. Sir J.
Hodgson, F.
Hodgson, R.
Holmes, hon. W. A.
Hornby, J.
Howard, hon. C. W. G.
Howard, hon. E. G. G.
Inglis, Sir R. H.
James, W.
James, Sir W. C.
Jervis, Sir J.
Jocelyn, Visct.
Johnstone, Sir J.
Johnstone, H.
Jolliffe, Sir W. G. H.
Kemble, H.
Ker, D. S.
Kirk, P.
Labouchere, rt. hon. H.
Lascelles, hon. W. S.
Lefroy, A.
Liddell, hon. H. T.
Lincoln, Earl of
Lindsay, Col.
Loch, J.
Macaulay, rt. hon. T. B.
Manners, Lord J.
March, Earl of
Marjoribanks, S.
Matheson, J.
Maule, rt. hon. F.
Maxwell, hon. J. P.
Meynell, Capt.
Milnes, R. M.
Monahan, J. H.
Morpeth, Visct.
Morris, D.
Mostyn, hon. E. M. L.
Mundy, E. M.
Newdegate, C. N.
Northland, Visct.
O'Brien, A. S.
Ogle, S. C. H.
Owen, Sir J.
Parker, J.
Pattison, J.
Philipps, Sir R. B. P.
Plumridge, Capt.
Polhill, F.
Reid, Col.
Repton, G. W. J.
Rich, H.
Romilly, J.
Ross, D. R.
Russell, Lord J.
Sandon, Visct.
Shaw, rt. hon. F.
Sheppard, T.
Shirley, E. J.
Somerset, Lord G.
Spooner, R.
Stanley, hon. W. O.
Stansfield, W. R. C.
Staunton, Sir G. T.
Stuart, Lord J.
Strutt, rt. hon. E.
Tancred, H. W.
Thornely, T.
Tollemache, J.
Towneley, J.
Trotter, J.
Troubridge, Sir E. T.
Vane, Lord H.
Vesey, hon. T.
Wall, C. B.
Walsh, Sir J. B.
Ward, H. G.
Wood, rt. hon. Sir C.
Wortley, hon. J. S.
Young, J.

TELLERS.

Hill, Lord M.
Tufnell, H.

List of the NOES.

Browne, R. D.
Callaghan, D.
Collett, J.
Crawford, W. S.
Dennistoun, J.
Escott, B.
Evans, Sir De L.
Ewart, W.
Fielden, J.
Fitzgerald, R. A.
Hall, Sir B.
Hindley, C.
Howard, P. H.
Lawless, hon. C.
Layard, Maj.
Macnamara, Maj.
M'Carthy, A.
Napier, Sir C.
O'Brien, W. S.
O'Connell, M. J.
Pechell, Capt.
Rawdon, Col.
Scrope, G. P.
Stuart, W. V.
Wawn, J. T.
Williams, W.

TELLERS.

Bellew, R. M.
O'Connell, J.

MR. JOHN O'CONNELL moved that the words "whether for the county or the borough" should be added to the words "justices of the peace" in the clause, so as to make borough justices *ex-officio* guardians.

SIR G. GREY objected to the Amendment as likely to lead to inconvenience, without any corresponding advantages.

Mr. P. HOWARD strongly advised the Government to consent to the admission of the borough magistrates, so that they might form part of the board. He thought that the elective principle ought to be allowed a little more scope than was given to it.

Amendment withdrawn.

Upon the question that the Clause stand part of the Bill,

Mr. JOHN O'CONNELL said, that in order that the public might know who the parties were who were sincerely in favour of a poor law, and those who only pretended to be so, he should divide the Committee against the Clause.

The Committee divided:—Ayes 133; Noes 21: Majority 112.

List of the Ayes.

Acheson, Visct.
Adderley, C. B.
Ainsworth, P.
Archbold, R.
Arkwright, G.
Baine, W.
Baring, rt. hon. F. T.
Bentinck, Lord G.
Beresford, Maj.
Berkeley, hon. C.
Berkeley, hon. Capt.
Bodkin, J. J.
Botfield, B.
Bowring, Dr.
Broadwood, H.
Brooke, Sir A. B.
Brotherton, J.
Bruen, Col.
Buck, L. W.
Buller, C.
Bunbury, W. M.
Busfeild, W.
Carew, W. H. P.
Chandos, Marq. of
Chichester, Lord J. L.
Clay, Sir W.
Cole, hon. H. A.
Coote, Sir C. H.
Corry, rt. hon. H.
Courtenay, Lord
Cowper, hon. W. F.
Craig, W. G.
Cripps, W.
Dalmeny, Lord
Deedes, W.
Denison, J. E.
Dickinson, F. H.
Dodd, G.
Douglas, Sir H.
Duncan, G.
Duncannon, Visct.
Duncombe, hon. A.
Dundas, Adm.
Dundas, Sir D.
Evans, W.
Ferguson, Sir R. A.
Finch, G.
Fox, C. R.
Fuller, A. E.
Gaskell, J. M.
Gladstone, Capt.
Gore, W. R. O.
Grey, rt. hon. Sir G.
Grimsditch, T.
Grogan, E.
Hamilton, G. A.
Hamilton, W. J.
Hastie, A.
Hawes, B.
Hindley, C.
Hobhouse, rt. hn. Sir J.
Hodgson, F.
Hodgson, R.
Holmes, hon. W. A.
Hornby, J.
Howard, hon. C. W. G.
Inglis, Sir R. H.
James, W.
James, Sir W. C.
Jervis, Sir J.
Jocelyn, Visct.
Johnstone, Sir J.
Jolliffe, Sir W. G. H.
Kemble, H.
Ker, D. S.
Labouchere, rt. hon. H.
Lascelles, hon. W. S.
Lefroy, A.
Le Marchant, Sir D.
Lindsay, Col.
Loch, J.
M'Donnell, J. M.
Mangles, R. D.
Manners, Lord J.
March, Earl of
Marjoribanks, S.
Matheson, J.
Maule, rt. hon. F.
Meynell, Capt.
Milnes, R. M.
Monahan, J. H.
Morris, D.
Mostyn, hon. E. M. L.
Mundy, E. M.
Neville, R.
Newdegate, C. N.
O'Brien, A. S.
O'Conor Don
Ogle, S. C. H.
Owen, Sir J.
Packe, C. W.
Parker, J.
Pattison, J.
Philipps, Sir R. B. P.
Plumridge, Capt.
Polhill, F.
Reid, Col.
Rendlesham, Lord
Repton, G. W. J.
Romilly, J.
Ross, D. R.
Russell, Lord J.
Sandon, Visct.
Shaw, rt. hon. F.
Sheppard, T.
Shirley, E. P.
Smith, rt. hon. R. V.
Somerset, Lord G.
Spooner, R.
Stanley, hon. W. O.
Stansfield, W. R. C.
Stuart, Lord J.
Strutt, rt. hon. E.
Tancred, H. W.
Thornely, T.
Trotter, J.
Vane, Lord H.
Vesey, hon. T.
Villiers, Visct.
Walsh, Sir J. B.
Ward, H. G.
Wood, rt. hon. Sir C.
Wortley, hon. J. S.
Wyse, T.

TELLERS.

Hill, Lord M.
Tufnell, H.

List of the Noes.

Bellew, R. M.
Bright, J.
Callaghan, D.
Crawford, W. S.
Escott, B.
Evans, Sir De L.
Ewart, W.
Fielden, J.
Gisborne, T.
Howard, P. H.
Lawless, hon. C.
Layard, Maj.
M'Carthy, A.
O'Brien, C.
O'Connell, M. J.
Perfect, R.
Rawdon, Col.
Scrope, G. P.
Stuart, W. V.
Wawn, J. T.

TELLERS.

O'Brien, W. S.
O'Connell, J.

On the 12th Clause, which enables the Poor Law Commissioners to dissolve a board of guardians, on default, without any intermediate election, being proposed,

Mr. R. VERNON SMITH suggested that words should be inserted, giving the Commissioners power to impose a penalty on boards of guardians, if the amount of arrears of rates was not collected within three calendar months after they became due. Under the 78th section of the Act 1 and 2 Victoria, it was declared that it should be lawful for the board of guardians to distrain for arrears of poor rate. He did not know whether the word "lawful" meant "discretionary" or "compulsory" in the Act, and there was no such provision at all in the present Bill. He should be glad, therefore, to hear from his right hon. Friend whether, in his opinion, penalties were leviable on boards of guardians who neglected to obey the orders of the Poor Law Commissioners, and collect the arrears of rates. If not, he should move an Amendment, to the effect that if the guardians neglected to levy within three calendar months, it should be lawful for the Commissioners to direct the guardians to proceed to levy the rates, and in case they did not do so, then they should be liable to a penalty. An enormous amount of arrears remained uncollected, although they were leviable by law, in those very districts in which the people were starving.

Sir G. GREY said, that the object of the clause was to enable the Poor Law Commissioners to dispense with the necessity of waiting till a fresh election of guardians could be made, in case a board of guardians neglected their duties. He did not apprehend that the Commissioners had any summary power of directing the guardians to do certain acts, and enforcing a penalty in case of default. They could only direct the guardians to take proper steps to levy the arrears due, and the guardians might issue directions to the collector. If they were then unable to collect it, the matter would not be advanced one step further. One word as to the large amount of rates outstanding. His right hon. Friend seemed to think that a vast amount of rates were in arrear; but he (Sir G. Grey) apprehended, that as the collection of the rate was necessarily spread over a number of weeks, there would always appear, on the mere production of a balance-sheet, a considerable amount of rate uncollected. He hoped and believed, however, that a large portion of the rate now due would be collected and made available.

Mr. GEORGE A. HAMILTON said, if it was really expected that the poor-law system should work well, or indeed at all in Ireland, the House must not found its legislation upon the supposition that boards of guardians would not do their duty. There might be some few exceptions; but he felt warranted in saying that, generally speaking, the boards of guardians in Ireland did their duty. The Committee must not be led away by statements of hon. Members like that just made; and he (Mr. Hamilton) would ask the attention of the Committee to the opinion of the Poor Law Commissioners themselves on the subject. It was true, no doubt, that there was a large amount of uncollected rate at the present time; but then it should be remembered that the circumstances of Ireland were rather peculiar now. But what was the language held by the Commissioners in their last report on the subject of the collection of the rate? Why, the Commissioners stated, in their Twelfth Report, laid on the Table of the House last Session, that the general state of the unions never was so satisfactory. They gave, in their report, an account of the funds of all the unions in Ireland for some years; and they stated that, whereas in May, 1843, there was a balance against 111 unions then open, of 5,697*l.*; in February, 1845, there was a balance in favour of 116, of 30,799*l.*; and in February, 1846, there was a balance in favour of 128 unions then open, of no less then 49,020*l.* They also stated that, in general, considering the newness of the rates, the collection was conducted successfully, and at a moderate expense, and that in some unions the rate was collected with an accuracy and fidelity which reflected credit on the local management. Now, really, when such wholesale charges were made against the boards of guardians in Ireland, these statements of the Commissioners ought to be recollected. And then, as to the right hon. Gentleman the Member for Northampton proposing or supposing that guardians could be compelled to do their duty by pains and penalties—why, he really had thought that such notions were long since exploded.

Mr. VERNON SMITH observed, that if the rates were not collected, it was not unreasonable to suppose that the fault rested with the boards of guardians. If they were not to blame, then it was clear that the rate could not be collected at all, and then there was no use in going on with the Bill at all.

Mr. SHAW, entirely concurring with his hon. Friend (Mr. Hamilton), that the boards of guardians had been very unjustly blamed in many instances, still he did not wish to mislead the right hon. Gentleman (Mr. V. Smith) or the House into an opinion that in many parts of Ireland there would not be real difficulty in collecting the rates. It was one thing their being leviable in law, and another, their being leviable in fact. Well, he had not deceived the House. He had warned them of the danger they would incur by enacting out-door relief to the able-bodied; and he verily believed that in many of the western counties, if it were attempted to enforce the law to the utmost, that the paid officers under that clause would represent not only the boards of guardians, but the landed proprietors, for that the poor rates would be more than the land was worth; and that it would not be possible for the boards to collect, or the lands to pay them.

Mr. P. SCROPE said, that there were several large landed proprietors who appeared to be in arrear for rates; and he thought that in their cases, at least, payment should be enforced.

The CHANCELLOR OF THE EXCHEQUER objected to the Amendment on the ground of the impracticability of carrying out its provisions.

Clause agreed to. Remaining clauses were agreed to.

MR. SHAW had a clause to move for the purpose of relieving the Irish clergy from an unfair and unequal pressure upon them of the burden of the poor rate. This had operated to the disadvantage of the clergy since the passing of the Irish Poor Law in 1838, and he had frequently complained of it in that House; but it became of still greater importance, when the impost was about to be indefinitely increased by that Bill, and at a time when he believed no person would be found to deny that the clergy of Ireland were devoting not only their time, their thoughts, and their best energies, but also their pecuniary means, to an extent far beyond what they or their families could justly spare, to alleviate the unparaleled distress that in every part of Ireland surrounded them. Under the existing law, the occupier was supposed to pay both the landlord's and titheowner's poor rate. He then deducted from his landlord the half of his entire advance, and the landlord deducted the whole poundage rate from the rent-charge payable by him to the titheowner—the theory being, that in that way the occupier paid the entire poundage rent upon the sum actually paid both for rent to the landlord and tithe rent-charge to the clergyman; and that for the half advanced by himself, he paid so much the less rent to the landlord. But practically the case was very different. In reality the land never was valued at the full rate it paid, both in the shape of rent and tithe rent-charge; but provided the valuation was comparatively correct, it signified little to any party, except the titheowner, what the standard was. For example, if all lands were equally undervalued, the proportion was the same to both lessors and occupiers; but in the ratio that the whole was undervalued, did the proportion of the clergyman's rate rise, inasmuch as he paid the poundage upon the utmost farthing that he received; and then, when from a lower valuation a new rate was required, he had to pay his whole unduly large proportion over again; and even though the clergyman did not pay less, he would greatly prefer the payment going direct to the poor; for now the mode of payment was complicated and not very intelligible: the tenant paying the whole of the tithe rate, and only getting half back; the landlord paying only the half, and stopping the whole; and the clergyman being under the impression that what was stopped from him rather went into the landlord's pocket, than to the support of the poor. But besides that, the clergyman had to pay upon his gross income, while the landlord only paid upon his net. For instance, a clergyman with a living of 400*l.* a year, had, since the passing of the Church Temporalities Act, to pay 25 per cent, or 100*l.* of that to the Ecclesiastical Commissioners as a tax upon his benefice, as also, say 50*l.* a year in other fixed charges, over which he had no control; yet instead of paying, as would be just, upon his real income of 250*l.* a year, he had the rate to pay upon his nominal income of 400*l.*; and under the law they were then passing, authorizing out-door relief, it would be very easy to conceive a case in some unions where the poor rate might absorb the clergyman's entire income. He was persuaded that was not the intention of the Government, and could not be the desire of the House; and that, therefore, they would not refuse him the act of justice he demanded on behalf of the Irish clergy, namely, that they should be taxed upon their real and not their nominal incomes. What he proposed was, to assimilate the Irish to the English law in that respect—placing the clergy upon the rate, and then ascertaining, by means of the Ecclesiastical Commissioners, as prescribed by the Church Temporalities Act, their real incomes. He had stated the substance of the alteration he proposed, and it was very simple; but his clauses might at first sight appear intricate, inasmuch as he had first to make the rent-charge a separate rateable hereditament; secondly, to provide both for impropriate and clerical tithes; and, thirdly, to alter the mode of valuation, by excluding the rent-charge from the sum paid by the occupier, whereas at present it was included. The clauses would stand as follows:—

"And whereas, under the provisions of the said Act of the first and second year of Her Majesty's reign, tithe composition is liable to be rated only as, and with, the hereditaments upon which such composition is charged, and it is expedient that such provisions shall be amended; be it therefore enacted, that from and after the passing of this Act, composition for tithe, or rent-charge in lieu thereof, shall be deemed to be a separate rateable hereditament under the said Act, and shall be distinctly rated as such.

"And be it enacted, that in all cases of rent-charge in lieu of impropriate tithes, the annual amount of such rent-charge, after deducting therefrom all rates, taxes, and public charges, if any, imposed on the owner in respect thereof, shall be deemed the net annual value thereof; and that in all cases of rent-charge in lieu of tithes, payable to any spiritual person, the net annual value thereof, upon which the rate for the relief of the poor, under the said recited Act or this Act shall be made, shall be deemed to be the amount of such rent-charge or composition, as ascertained and valued by the Ecclesiastical Commissioners of Ireland, for the purpose of a certain tax or assessment upon church property, under an Act passed in the third and fourth year of the reign of his late Majesty King William the Fourth, intituled 'An Act to alter and amend the Laws relating to the Church Temporalities of Ireland,' after the deductions and allowances therein directed to be made, and after deducting also the portion of the assessment or tax chargeable in respect of such rent-charge, under the said last recited Act.

"And be it enacted, that the rate made upon each rent-charge or composition for tithe, shall be paid by the person in the receipt or enjoyment thereof, and may be recovered by all the ways and means by which any rate made on any lessor may be recovered.

"And be it enacted, that from and after the passing of this Act, the net annual value of all rateable hereditaments, other than rent-charge or composition for tithe, shall be deemed to be the rent for which, one year with another, the same might, in their actual state, be reasonably expected to let from year to year, all the rates, taxes, and public charges, if any, and the probable average cost of repairs, insurance, and the other expenses necessary to maintain the hereditaments in their actual state, and the rent-charge or composition for tithe, being assumed, for the purpose of estimating such annual value, to be paid by the tenant."

Sir GEORGE GREY was understood to assent to the principle of the clause, inasmuch as it related to the assimilation of the conditions of tithe-rent proprietors in England and Ireland. He, however, proposed certain verbal amendments.

Mr. G. A. HAMILTON said, that the clause, even altered as was proposed by the right hon. Baronet, would in some degree remedy the injustice and hardship of which the clergy in Ireland complained; but he regretted the right hon. Gentleman would not agree to it in the shape proposed by his right hon. Colleague. Without going over the statement made by his right hon. Friend, he would state to the Committee that there were two great injustices or grievances under which every one must admit the clergy of Ireland laboured. The one was, that whereas all other persons were rated on a low valuation of their property, the clergy were rated at its full amount, without any allowance for losses, or any deduction whatever; and the other was, that whereas all other persons were rated at a net valuation, the clergy were rated at a gross. If the Committee referred to the original Bill of 1837, they would find that tithe rent-charge or composition was intended to be made like all other property, and, as tithes in England, a rateable hereditament. Supposing it had been, of course it would have fallen under the 64th Clause of the Bill, and been rated at its letting value, deducting all charges; but the Bill was altered in Committee, and the landlord empowered to deduct the full poundage upon the rent-charge, without any allowance or deduction for charges whatever; and what was the effect of this? Why, that the Irish clergyman at present paid poor rate upon the tax which he had to pay to the Ecclesiastical Commissioners, which tax was imposed for the repairs of churches, as a substitute for an assessment on the land; and he paid also ecclesiastical tax upon the sum which he paid as poor rate. Nothing could be more unfair than this. A clergyman was bound in Ireland to pay instalments for the building of glebe-houses; and he had also, in many cases, to pay to the family of his predecessor, interest for sums expended in repairing glebe-houses, or he was obliged to expend money on such repairs himself; the value of the glebe-house was thus increased, and of course the poor rate upon it so much higher, and yet the clergyman had to pay poor rate upon the sums thus paid by him for the building or improving of his glebe, while he had to pay also the additional rate placed upon the glebe in consequence of these improvements. The clause as assented to by the right hon. Baronet, would at least remedy these hardships; and he (Mr. Hamilton) therefore did not think it necessary to go further into the subject on the present occasion.

Mr. A. M'CARTHY observed, that many of these deductions seemed to him to be similar in principle to the owner of an incumbered estate claiming exemption from his liabilities. It was not judicious in the supporters of the Irish Church to endeavour to free the property of that Church from the burdens which the Legislature placed upon it. The great bane of that Church was, that it was too rich, and that it had not applied to the relief of the poor that sum to which, under the canon law, they were entitled. He should oppose the clause.

Lord G. BENTINCK did not well understand the nature of the clause. Was it to shift the burden from the titheowner to the landlord?

SIR G. GREY: The law was to be the same as it was in England. The tithe-owner would be rated by name on the amount of tithe he was entitled to receive, and the landlord would not have to pay rates on the tithe-rent charge.

MR. HAMILTON, in reference to the observations of the hon. and learned Member for Cork (Mr. M'Carthy), begged to say, that the alterations which he suggested, were offered because the clergy were anxious that the sums levied on their incomes should really go to the support of the poor.

MR. SHAW said, that as the Government agreed to the principle of the clauses he proposed, he had hoped they would have allowed the deductions under the Church Temporalities Act. As, however, it would be of no use for him to divide, he would withdraw the clauses then, and, after conference with the right hon. Baronet (Sir G. Grey), bring them up on the next stage of the Bill.

Clauses withdrawn.

MR. J. O'CONNELL moved clauses directing a separate place of religious instruction to be built in each workhouse for Catholic children.

SIR G. GREY said, he was anxious to take time to consider the hon. Gentleman's proposal, and should say on the bringing up of the report whether he could assent to it.

MR. J. O'CONNELL: The object of his clauses was to prevent Roman Catholic children from being placed for religious instruction under persons of another religion.

Clauses postponed.

House resumed. Committee to sit again.

RATIONS IN IRELAND.

LORD G. BENTINCK hoped the right hon. Gentleman the Secretary for Ireland would be able to give a satisfactory answer to a question which he had put the day before yesterday, as to the rations given on the public works in Ireland.

MR. LABOUCHERE said, that the noble Lord had on Tuesday night read to the House a list of rations which the noble Lord understood had been determined upon by the Central Relief Committee, as the scale on which relief was to be afforded to the destitute poor in Ireland. The noble Lord, he believed, derived his information from a publication in a daily newspaper; and he believed that the noble Lord read the list correctly as it appeared in that newspaper. There was, however, a very material error in that list. He had since received the official statement of the rations, and he thought the House would admit that they were sufficient. A ration was to consist either of $1\frac{1}{2}$ lb. of bread (the newspapers stated it at $\frac{1}{2}$ lb, so that there was a material difference), or 1 lb. of biscuit, or 1 lb. of meal or flour, or any other grain, or one quart of soup thickened with a portion of meal, according to any known receipts, and one quarter ration of bread, or biscuit, or meal, in addition. He hoped the noble Lord would agree with him in thinking that this allowance of food was sufficient.

House adjourned at half-past Six o'clock.

HOUSE OF LORDS,

Friday, March 26, 1847.

MINUTES.] PETITIONS PRESENTED. From Protestant Dissenters of Wrentham, and other places, against the Proposed Plan of Government Education.—From Guardians of the Goole Union, for a Permanent and Effective Poor Law for Ireland.—From Kilkenny, against affording Outdoor Relief to Able-bodied Poor.—From Clergy of Bedford, for the Better Observance of the Sabbath, and against the Employment of Railway Labourers on that Day.—From Guardians of the Hartismere Union, for the Repeal of or Amendment of the Poor Removal Act.

ELECTION OF REPRESENTATIVE PEERS (SCOTLAND).

LORD COLVILLE said, there was a subject which he wished to bring under the notice of their Lordships, though he believed he was prevented by the rules of the House from making any distinct Motion on the subject. The facts of the case which he desired to bring under notice were these: On Wednesday, the 17th inst., in consequence of the death of Lord Rollo, and pursuant to Her Majesty's Proclamation, there was a meeting at Edinburgh, to elect, in the room of the deceased Nobleman, a Representative Peer for Scotland. On that occasion a certain individual, on the union roll being called, answered to the name of Lord Colville, of Ochiltree. To his (Lord Colville's) very great surprise it did not appear that any Peer present entered any protest against that vote. That was a most irregular and most improper course; and as the consequence might be of some moment, it was desirable that their Lordships should express a decided opinion on the proceedings. He conceived that that individual having proceeded to give his vote on that occasion, without any protest being entered against it, that gave him facilities to exercise the uses of the privilege of a Peer in future. [*Cries of* "No, no!"] He begged to call the attention of their Lordships to a circumstance connected with the individual himself. The individual in question moved the Court of Queen's Bench, little more than a year ago, to grant a rule for his discharge from the custody of the Sheriff of Middlesex; he obtained a rule *nisi*, and an inquiry into the merits of the case which was then put forward was not entered into, the discharge having been acceded to in consequence of some technical informality in the warrant on which he was arrested. This kind of occurrence was not unfrequent. He believed there were instances of persons attending and voting at the election of Peers in Scotland, who were afterwards brought into a court of justice, and got free from their debts and engagements in consequence of having to exercise the privileges of a Peer. He (Lord Colville) was so well convinced that the individual to whom he was alluding, had not a shadow of a shade of right to that title, that he could not omit calling the attention of the House to the matter. He (Lord Colville) had no personal interest in the matter, or claim to that title. It was a title conferred upon the first Lord Colville of Ochiltree, so lately as the reign of Charles the Second, long after the creation of the Peerage which he (Lord Colville) had; and he had no interest in the matter any further than this—he had a great many unpleasant applications made to him, brought upon him by claims upon this gentleman, of which he (Lord Colville) would be very sorry to incur the responsibility. It was hardly credible that the individual should have had the assurance to come forward and tender a vote; it was not more credible that that vote should have been accepted: but, as this had taken place, it became incumbent on their Lordships to inquire if some step could not be adopted to render it impossible for a man, under such circumstances, and without having shown his credentials, to vote in that way. A series of resolutions suggested by the noble Earl (the Earl of Rosebery) had been passed some years ago, with a view to obviating the difficulty in which they were now placed. They had proved inoperative in this instance; and the necessity would be acknowledged of creating some safeguard for the future. In 1806 there had appeared a pretender to the title of Ochiltree, and the claim was then rejected as invalid. It was a most flagrant and scandalous case. His inclination was to move that the person or his counsel be summoned to the bar of that House; and if he was not at liberty to do that, he would enter his protest in the most formal manner against the vote given at Holyroodhouse being received.

The Earl of ROSEBERY apprehended that the noble Lord could not do what he now proposed, and that their Lordships would not assent to what he conceived would be an unprecedented act, namely, moving that this person who assumed the title of Lord Colville of Ochiltree, should be brought to the bar of the House. The resolution of which he (the Earl of Rosebery) was the author, was unanimously assented to by the House, and was passed in the month of May, 1822. That resolution was simply to the effect that from that time no person other than the son or lineal descendant of a Peer of Scotland, or the brother of such Peer, on the decease of any Peer, should hereafter vote at any election of any Peer of Scotland to sit and vote in this House without having previously come before the House and proved his right and title to do so. If his noble Friend was anxious to pursue this subject in order to bring it to a point, he would venture to suggest that the only proper plan for him to follow was to give notice in the first place, and then to move their Lordships that a copy of the proceedings at the last election should be laid before them, with a statement of the Peers who voted at that election, and the grounds of their doing so. If this person were a lineal descendant, or if he assumed to be a lineal descendant, of a former Lord Colville, of Ochiltree, the resolution which was carried would not apply to his case, because it only prevented collateral Peers from voting until they should establish their claims. If the noble Lord chose to do what he suggested, and on that coming in the regular way before their Lordships, a Motion might be made to investigate the claims of this individual.

Lord BROUGHAM said, it was felt that the resolution of 1822 afforded no sufficient protection. It did not protect them from the very thing that had here taken place; for if a person said he claimed as a lineal descendant, or that he claimed as the brother of the last heir, he doubted but that put an end to the protection of the resolution. They tried in 1832 another plan, namely, to have a roll—a purified roll was the only thing—but they found the plan was encumbered with many difficulties. It should be recollected that they had no jurisdiction on any Peerage question until it was referred to them by the Crown, except in one case, and that was the case of the contested election of a Peer.

The LORD CHANCELLOR agreed with the noble and learned Lord, that the resolutions passed by that House were insufficient for the purpose intended. There was at present nothing to prevent any man voting if he maintained that he was the lineal descendant or the brother of a deceased Peer. Any discussion upon the occurrence at Holyrood-house would now be useless; but it was of importance that they should enact some measure which would secure them from any such event in future. No person should be permitted to vote as a Peer of Scotland without producing a certificate from the Chancellor that he was entitled to vote; those entitled to vote could make good their claim; and, if met by this form, no pretender could then succeed in having his vote recorded.

LORD CAMPBELL observed that the noble Lord (Lord Colville) was under a mistake in supposing that any legal right was acquired by this person being put upon the roll; and though he had been allowed to vote without protest, there was no legal right whatever conferred by the usurpation. The present practice in this respect, he knew from experience, had given swindlers the opportunity of imposing upon and defrauding the public. A man without any claim whatever pretended he was an Earl or a Baron, with ancient blood in his veins —the world believed he was the person he represented himself to be—they gave him credit—he incurred debts he was totally unable to pay—and the credulity of the world was such on the subject, that people were anxious to come forward and support him, and enable him to make good a claim to what he had not a shadow of title, in order that they might get their debts paid. He thought there could be no objection to adopt the suggestion of the noble Lord on the Woolsack, and that their Lordships should say that no person assuming to be a Scotch Peer should be allowed to vote without either a resolution of the House that he was entitled to vote, or a certificate from the Lord Chancellor. He thought the noble Lord (Lord Colville) was entitled to their Lordships' thanks for bringing this abuse before their Lordships' House.

LORD COLVILLE was satisfied of the propriety of bringing this case under their Lordships' notice. Such a flagrant instance had occurred at a recent election, that he could not any longer suffer the occurrence to remain unnoticed. There was great danger in allowing these matters to remain in their present state. He was satisfied that something ought to be done, and on Monday next he should move for a return of the Peers who voted at the last election on the 17th of this month, at Holyrood-house, for the election of a Representative Peer for Scotland.

POOR LAW (IRELAND).

LORD MONTEAGLE, in proposing the resolution of which he had given notice, for the appointment of a Select Committee on this subject, observed that it was not in any common-place acceptation of the phrase that he declared that he was oppressed by the magnitude of the subject, and by his sense of the vast responsibility which must of necessity attach to any one who should undertake to bring such a question under the consideration of their Lordships. He was painfully sensible of the delicacy of his position; but it was some satisfaction to him to reflect that he was free from many of the difficulties which encompassed a subject of this kind; he was free from any possible imputation of being swayed or influenced by any party views in discussing the question. The opinions which he maintained were different from those which were supported in the measures of Her Majesty's Government, and no man could feel deeper sorrow than he that such difference should exist; but it only amounted to a difference in reference to this one question, which was a question in respect of which freedom of judgment might fairly be claimed on the part of any individual Member of Parliament in that House, but more especially on the part of such Members as were connected by birth and residence with that country whose interests would be directly and in a peculiar manner affected by these measures. He was sorry that any discrepancy of opinion should exist between him and the Government; but his regret would not tempt him to swerve from the course which he felt it to be his duty to adopt. There was another difficulty, from which he was exempt—that which attached to the supposition that he might in any way be swayed by a desire to gain popular favour by his Motion, on one side of the

Channel or on the other. From this he was totally exempt, for the doctrines which he held in reference to the present question were not such as were likely to recommend themselves to popular favour, either in this country or in Ireland. In England there had been an extent of clamour and excitement on the subject, which precluded due deliberation, and threw very great difficulties in the way of sobriety of decision; and if this was so at this side of the water, was it not evident that still greater embarrassment and perplexity must be experienced in Ireland, the country in which the operation of the contemplated measure would be practically experienced. At the suggestion of the Government, their Lordships had already considered, and had already cheerfully given their sanction to, certain measures intended to meet the immediate emergency and the pressing danger of Ireland's present distressing position. There might have been differences of opinion with respect to some of the principles involved in those measures (with respect to those principles he felt such difficulties himself); but Parliament, with little hesitation, and without a division, had passed the measures; they had done so in a spirit of the most generous alacrity; and if he might venture, without presumption, to speak on behalf of their Lordships generally, he would not hesitate to express his conviction that any measures conceived in the spirit of humanity, and intended to meet the pressing exigencies of the present great emergency, would have received their earnest consideration and undivided support. But they had no longer to do with temporary enactments. They had now come to a measure of a totally different character—a measure which would affect the permanent law of the land—a measure which was, for the first time, but for all time to come, to be engrafted on their statutes—a measure which was to become a permanent institution, and by which the future destinies of the country were to be influenced. This being the case, it would not be consistent with his principles on the present occasion that he should make use of any arguments derived out of the present exigency of affairs, in dealing with the proposition he was about to bring forward. If the measures of temporary relief already passed were not sufficient, let others be introduced in addition—he, for one, would support them; but if they sought his assent to a law essentially permanent in its provisions, he, in considering whether he should give or withhold his assent, would not be ruled by principles which were applicable only to a case of particular exigency. He was bound to regard the principles of the permanent measure itself, and the principles on which it was right that the interests of his country should for the future be regulated—the temporary emergency being left altogether out of the question. The question of the Irish Poor Law was one with which he had been long and intimately acquainted, which must plead his apology for his apparent presumption, in taking on himself the office of bringing this subject under the consideration of their Lordships. He had been chairman of two Committees of the other House, appointed to investigate the question; and the subject was altogether one to which he had felt it his duty to devote especial attention for a long series of years. He was given to understand, or rather he heard it rumoured, that an objection would be taken on the part of Government to the raising of this discussion at the present moment, and in the manner which he proposed to adopt. He begged of their Lordships to consider whether that objection was well founded or not. They knew to their cost, and his country knew to her cost also, the great difficulty which arose out of discussion and legislation by reason of the late period of the Session at which Bills from the other House were frequently presented to their Lordships. Never did they suffer more inconvenience from that evil than last Session, for the most material Bills were sent up to them in the very last week of that Session, when it was utterly impossible that they should give them anything like due deliberation. The difficulties with which their Lordships had to contend in this respect were greatly increased by the technical rules established between the two Houses of Parliament, respecting Amendments made in Bills which came before either of them; and their whole experience of the process of legislation inculcated how desirable it was that their Lordships should avail themselves of a favourable opportunity for discussion as soon as that opportunity presented itself, and not leave everything to the last moment; they should look before them when they were about to enter upon a career of important legislation, and examine the principles of the measure they would be called upon to sanction before the Bill itself was brought under their consideration. This excellent practice they had already adopted this Session in the case of the law of settlement, with respect to which they had appointed a Committee of Inquiry before the Bill itself had as yet been brought up. Again, if his present proposition were to be delayed until the Irish Poor Law Bill should come up from the Commons, and he were then to bring forward his proposal for the appointment of a Committee to inquire into the principles and probable consequences of the measure, it would be charged against him with some show of plausibility, that the proposition was only made for the purposes of delay, and to get rid of the Bill by a side-wind. He did not wish to leave himself open to any such imputation. He did not want to endanger the course of the Government measures; but he implored of them carefully to consider the principles on which those measures were founded, while opportunity for consideration was afforded. Let them be calmly considered, and viewed by their own merits; and if they were so investigated, he, at least, would be no party to delaying or frustrating them by having recourse to what were termed Parliamentary tactics. His proposition was not for an unlimited Committee of Inquiry; for their Lordships knew very well that to examine into such a subject as the state of the Irish poor, might occupy them longer than till the conclusion of the present Session: all he required was a Committee to inquire into and report on the recommendations which had been made by the Committees and Commissions which from time to time had been appointed to take this great question into consideration. The question was not a new one. It had already been frequently discussed and considered; it had been the subject of frequent debate; and what he begged of them was, that they would cast their eye backward on those debates, and on the recommendations which had already been made from quarters of the highest authority on such a subject, and deliberate well upon them before they committed themselves on a subject so critical, so difficult, and so vitally important. He asked them to give their attention to the recommendations contained in the various reports on their Table. Would it be said it was unnecessary to do so? Would it be said that the suggestion merely implied that they had not already done their duty in this case? If any such argument were to be used, and that reference to the reports were in consequence to be refused, he put it to their candour to say how many of their body were likely to vote on the Irish Poor Law without being masters of the information necessary to lead to a sound conclusion—the information already on their Table? Did they know the recommendations which had been made on this subject by the various Committees and Commissions which had investigated the question? Did they attach any importance to those recommendations? There was evidence to act on; and could they before their country, and before the sister kingdom, declare that they were aware of those facts, and rejected the evidence of the reports as not necessary, because they were already properly informed on the subject? Other questions, not perhaps more important, but of a more pressing character, had called their attention from it; and he was confident that, though a majority of their Lordships might refuse to accede to his proposition, on the ground that the evidence to which he was desirous of directing their attention was antiquated and unnecessary, they would be too frank and honourable to pretend that they did so because they were already acquainted with it. He did not mean to suggest that they were bound by the Parliamentary evidence; on the contrary, they were bound to reject it if they did not approve of it; it was not to control their judgment, but to guide it: but if they wished to do justice to this great question, and justice to that country which was an integral portion of this empire, and which he hoped no rash legislation on the part of the English Legislature would ever so affect as to warrant a doubt whether it ought to continue an integral portion, he implored of them to cast an eye backward, and to consider what lessons the experience of the past furnished to guide their course for the future. Then, if they were resolved to strike, they would at least strike after they had heard. In dealing with this subject, he wished to guard himself against the misrepresentation to which all Irish Members taking part in this question were likely to be exposed—that of its being imagined that he was influenced by one or other of two motives, either of which was equally base and equally worthy of being denounced. The first of these imputations was, that his object was merely to protect his own selfish interests, and the number of acres which, as an Irish proprietor, he might happen to hold from the Crown; the second was, that he only wanted to get from the Imperial Parliament and Treasury a larger amount of the public revenue. He disclaimed both insinuations. It was, he believed, impossible to destroy one class in society without injury to others; and if anything could be done permanently and effectively to promote the welfare of Ireland and her people by the sacrifice of any class, he would not stand up to speak on behalf of any class, but would himself cheerfully submit to his portion of the sacrifice. There was no sacrifice which the Irish proprietors would not willingly submit to, if by their doing so the Irish people could be raised in prosperity to something like a level with the English, and be equally happy and prosperous. But his view of the question was this—that the contemplated measure, so far from benefiting the popular classes in Ireland at the expense of any other section of the community, would ruinously affect the other sections, and be at the same time positively and deeply injurious to the popular classes. With respect to the second imputation, it was not true that he had come there to obtain a larger amount from the public revenue. He deplored many of their gifts; many of them, having been made unadvisedly, had been productive of evil rather than good to Ireland. He had always employed that language. He opposed in the House of Commons the remission of that million of money which was squandered so lavishly with respect to Irish tithes; and last year he resisted quite as strenuously the yet more lavish and yet more unpardonable exercise of Parliamentary bounty, whereby five millions sterling were granted in order to relieve the Irish counties from the support of the police and constabulary force in Ireland. He wished for no further gifts. All he wanted of them on the present occasion was, that they should consider their steps, and pause to think what would be the effect of such a measure as the present on the social position of Ireland—on the civilization and refinement of her people—on their commercial prosperity—on the security of property amongst them—and on their national character. His Motion was for a Committee to consider the previous Parliamentary inquiries on the subject, and to report thereon—a Motion similar to one for a search in the Journals for precedents. He would refer them to an analogous case. For upwards of twenty years, from 1806, Parliament instituted inquiries upon the subject of education in Ireland. Committee after Committee, and Commission after Commission sat, and reported on the subject, until the shelves of the Parliamentary libraries groaned under the cloud of blue books which proceeded from those tribunals. During the Government of the noble Duke now sitting at the Table (the Duke of Wellington), he brought the subject under the notice of the House of Commons, by moving that all the reports which had issued from the Commissions and Committees should be referred to a Select Committee. The Motion was agreed to: the Committee sat only three days, and in their report brought under the consideration of the House, in a condensed form, the whole of the recommendations contained in previous reports; and on the report of that Committee the present national system of Irish education was founded. He asked their Lordships to take a similar course on the present occasion. He did not want to impose upon the Committee the duty of examining witnesses, though if any Member should feel desirous to have the benefit of oral testimony, he should not object to the proposition. He would not propose it himself, because he was aware that, if he were to do so, he would be charged with a desire to lead their Lordships into an interminable investigation, with a view to frustrate the Government measure. It being understood that his Motion was to be opposed by the Government, he must, of necessity, enter into some detail, which he would have avoided under other circumstances: he would, therefore, constitute for the present the House into a Committee, and appeal through them to the British public upon a question on which the destiny of Ireland depended, whether in 1847, with the experience of half a century before them, and knowing as much as they did of the state of Ireland and the character of her people, they would sanction an experiment of introducing into that country, for the first time, a system of out-door relief to the able-bodied poor of Ireland. The greatest authorities on the question—men whose knowledge of Ireland and the Irish was such that their recommendations and opinions could not by possibility be overvalued—had unanimously protested against the measure. It was not until after 1804 that any effort was made to direct the attention of the Legislature to the improvement of the social condition of the Irish people. In 1803, Sir John Newport, than whom a better or an abler man it would be extremely difficult to have found, was returned to the Imperial Parliament; and in the year following he moved for a Committee to examine and inquire into the state of the Irish poor. Mr. Wilberforce and Mr. Warton Pitt, and other Gentlemen who were intimately acquainted with the working of the English Poor Law, were members of that Committee. Their report was in favour of giving relief to the aged, the infirm, the debilitated, and the sick; but with respect to the general application of the principle, their resolution was as follows:—

> " *Resolved*—That the adoption of a general system of relief for the poor of Ireland, by the way of a parish rate, or in any similar manner, would be highly injurious to the country, and would not produce any real or permanent advantage even to the poorer classes of the people themselves who must be the objects of such support."

For many years after 1804 the foreign relations of England occupied by far the greater portion of the attention of the Legislature; but the present great question, after the lapse of some time, was again renewed. In Ireland the question had forced itself upon their attention in consequence of other most distressing calamities. In 1819, one of those periodical visitations occurred; and in 1822, in Dublin alone, with a population of between 200,000 and 300,000, the number of persons passing through the fever hospital exceeded 60,000 in the course of less than a year. That was a state of things that could not remain unobserved, and consequently a Committee was moved for and Bills were passed, and he begged the House to observe that in those Bills no new principle had been introduced; but the old principle of the law of relief had been persevered in. A Committee had been appointed in 1819, and they reported that—

> "For the evils of mendicancy and vagrancy in Ireland it was difficult to devise a remedy that would not lead, in consequence, to the establishment of a system of poor law, producing in a country like Ireland incalculable evils to every class of the community."

He had now brought them from 1804 to 1819, and he found the same concurrence of authority expressed in the same strong and unqualified language. In 1822, another case of distress occurred; and after it had terminated, he (Lord Monteagle) proposed to the Government of that day the appointment of a Committee for the purpose of considering the state of the Irish poor; and the Government were kind enough to consider the proposition as just and reasonable, and they threw no difficulties in the way. A Committee was, therefore, appointed, upon which some of the most eminent Members of the House of Commons sat—among them Mr. Abercromby, now Lord Dunfermline, and the late Mr. Ricardo. Their Lordships would see whether that Committee deserted the old sound principle of relief, and adopted any new one to meet the exigency. That Committee reported, that—

> "Any system of relief, however benevolently intended, leaving the peasantry to depend upon the interposition of others, rather than upon their own labour, cannot but repress all those exertions of industry which are essentially necessary to the improvement of the condition of the working classes."

Now, all those Committees had before them the notion of extended relief for the impotent and permanently disabled; but all alike had deprecated the idea of extension of the principle of out-door relief to the able-bodied. He had already said that in 1817 this question had been brought by Mr. Sturges Bourne before the consideration of a Committee as regarded England; and what was the opinion of that Committee upon the grant of out-door relief as regarded the administration of the English Poor Law? Why, that the administration of out-door relief was not the intention of the Statute of Elizabeth, but had been engrafted upon it by the Legislature doing that against which he wished to guard their Lordships, viz., in a moment of exigency deserting a true principle, and adopting a permanent system of relief under the pressure of temporary circumstances. That statute of Elizabeth, to which so many were fond of referring who had never read the Act in their lives, and would be incapable of understanding it if they had, never contemplated the relief of the able-bodied out of the workhouse. ["Hear, hear!"] Would his noble Friend the Secretary of State, who cheered, maintain that by the Statute of Elizabeth an order for the relief of the able-bodied out of the workhouse would have been valid in law? If so, he (Lord Monteagle) would say in reply, that one of the best lawyers in the country, and one peculiarly conversant with the question, he meant Sir James Scarlett, had given his opinion that such an order for out-door relief would be actually invalid, and that under the Statute of Elizabeth there was no right of giving an order for relief to the able-bodied poor out of the workhouse. The question between the noble Lord and himself was this—whether the system of out-door relief to the able-bodied poor was or was not introduced by the Statute of Elizabeth, or whether it was not rather an offshoot of a Statute of 1795, giving the magistrates power of directing relief to the able-bodied poor out of the workhouse? He (Lord Monteagle) maintained that the latter was the case; but, be that as it might, it was quite certain that Mr. Sturges Bourne's Committee, in 1817, condemned the system of out-door relief to the able-bodied poor. [The noble Lord here quoted a portion of Mr. Sturges Bourne's report, to the general effect that the workhouse system prevented persons from throwing themselves indiscriminately on the parishes for relief, and induced them to struggle to maintain themselves; and that the principle had been broken in upon by two modern statutes, which gave justices the power, under certain conditions, of ordering relief to be given out of the workhouses; and that the number of persons to whom relief was so given far exceeded the number the workhouses would contain, so that the system had, of necessity, as well as by law, been relaxed.] In 1824, the subject was again brought under consideration, by a Motion of the noble Lord now at the head of Her Majesty's Government, and a Committee was appointed to consider the state of the wages of labour in England. To the report of that Committee, known as Lord John Russell's report, he begged the attention of the House. [The noble Lord here read an extract, to the effect that by the system of out-door relief, assistance was afforded to the idle as well as to the industrious, to the profligate as well as to the sober and honest; that all incentive to industry and to maintain a good character was taken away; that the taxpayers and paupers were alike discontented; that crime advanced; and that the part of the country where the system prevailed, was, in spite of the terror of gaols, filled with thieves and vagabonds.] That was Lord John Russell's report. Then came the Poor Law Amendment Act of Lord Grey's Government; and, speaking of that Government as only a subordinate Member of it, and therefore as a witness of its triumphs, rather than as a sharer in them, he would say that he thought the greatest of their triumphs was the reform of the English Poor Law. In their other triumphs there were great political considerations mixed up; the Reform Bill, for instance, was the great triumph of the Whig party: but the reform of the Poor Law was the triumph of the principle of good sense as compared with the principle of maladministration; and, so far from popularity having attended the improvement of the Poor Law, the popularity was all the other way—it was done at a sacrifice of popularity—it was benefiting the people against their own wishes; it was done, not only without thanks, but amid many reproaches; but this reform, which was begun under Lord Grey's Government, and concluded under Lord Melbourne's, was, he considered, the greatest glory of any Government in modern times. That measure was carried mainly by the promulgation of the evidence on which it was founded: that evidence opened the eyes of all rational people, and laid the grounds of successful legislation. He asked their Lordships to give the question of the Irish Poor Law the same benefit which was given to the English Poor Law; let them give to the world the evidence already taken on the subject. What had been the evil most complained of by the Commissioners conducting the inquiry, upon which the improvement of the English Poor Law was founded? The first thing they reported was, that the great source of abuse was out-door relief to the able-bodied poor, whether given on account of the paupers themselves, or of their families, and whether in kind or in money. Out-door relief to the able-bodied could not be given without affecting the wages of the able-bodied poor; and the moment they meddled with the wages of labour, what happened? Why, the two great mischiefs which were most common in Ireland—he meant, combination and intimidation to keep up the rate of wages. Take the case of the county of Sussex. Look at the confusion and disorder which formerly reigned there; to the incendiarism, to the meetings for raising the rate of wages, and for regulating the allowances to the unmarried and the married poor. If Parliament assumed the responsibility of meddling with wages, that very instant the labourer would have a right to turn round and claim the performance of it in a way very far from pleasant. Labour must be left to the operation of supply and demand, the state of the market, and of trade; and the Legislature would repent passing its legitimate bounds, whether for the purpose of regulating wages or limiting the hours of work. In this question of out-door relief, two distinctions had been drawn—one between out-door relief given in money and in kind; and that which was given in exchange for labour. Now, with respect to the first, the Poor Law Commission to which he had referred, justly placed them in the same category as differing somewhat in degree, but the same in principle, whether the relief was given in money or in food. When the late Lord Spencer brought the question under the consideration of the Poor Law Commissioners, their answer was as conclusive against the applicability of labour as a test for relief, as the authority of the various Committees he had quoted was against out-door relief to the able-bodied poor. The Commissioners said—

> " Under the labour-rate system relief and wages are utterly confounded. All the wages partake of relief, and all the relief partakes of wages. The labourer is employed not because he is a good workman, but because he is a parishioner. He receives a certain sum, not because that sum is the value of his services, but because it is what the vestry has ordered to be paid. Good conduct, diligence, skill, all become valueless. Can it be supposed that they will be preserved? We deplore the misconception of the poor in thinking that wages are not a matter of contract, but right; that any diminution of their comforts, occasioned by an increase of their numbers without an equal increase of the fund for their subsistence, is an evil to be remedied, not by themselves, but by the magistrate; not an error, nor even a misfortune, but an injustice."

Unless that argument were good for nothing, the idea of relying upon a labour test or labour rate in the matter of out-door relief was utterly fallacious and absurd, even if the conclusive evidence which was afforded by the events of the last six months in Ireland was not before them. Was there a man who would not pronounce, especially as regarded Ireland, that labour as a test of destitution, and the hope of a return in labour under such circumstances at all in proportion to the amount paid for it, were not among the most fallacious imaginings that ever entered the mind of man? Why, to give relief without exacting any return at all in labour, would be better than mixing up the question of wages and relief, and degrading the labourer into a pauper. He had been asked by many persons, " Can you resist the application to Ireland of the same principle which already exists in England?" He wanted to know first, what were the relative circumstances of the two countries—for this was a most material element for consideration; because, if they proposed to apply the same thing to two different countries, in order to be perfectly persuaded of what the result would be, he must have an analogy in the condition of the two countries. And then he should have to ask, whether the principle really did exist in the English Poor Law at all? He contended that, whatever the practice might be now, it had been introduced since the principle of the original Bill had been departed from. The original intention of the Bill, and the principle upon which it was founded, was to depart as soon as possible from out-door relief, and to adopt as the governing principle relief in the workhouse:—

> " Out-door relief appears to contain in itself the elements of an almost indefinite extension, which may ultimately absorb the whole fund out of which it arises. Among these elements are the diminishing reluctance to claim an apparent benefit; the difficulty of ascertaining whether any necessity for relief exists, and the disposition to grant relief when necessary. In every district the discontent of the labouring classes is proportioned to the money dispensed in poor rates. The able-bodied unmarried labourers are discontented from being put to a disadvantage compared with the married. The paupers are discontented from their expectations being raised beyond the means of satisfying them. In Newbury and Reading the money dispensed is as great as could be desired by the warmest advocate of either compulsory or voluntary relief; and yet, during the agricultural riots, many of the inhabitants in both towns were under strong apprehensions of the rising of the very people amongst whom the poor rate and charities are so profusely distributed. The violence of most of the mobs seems to have arisen from an idea that all their privations arose from the cupidity or fraud of those intrusted with the management of the fund provided for the poor."

Let it be observed, too, that in the first draft of the Poor Law Bill there was an entire exclusion of out-door relief. The state of things described by the Commissioners was produced by the violation made in 1795 of the sound principle of relief; and the Government of Earl Grey, desirous of restoring that sound principle as soon as possible, provided for the transition by allowing an immediate stage of relief out of the workhouse; and by no one had the same principle been more eloquently avowed and defended than by his noble and learned Friend (Lord Brougham) in 1834. And so down to that year, 1834, he found that in all inquiries relative to the poor law the principle of out-door relief for the impotent and permanently disabled had been countenanced and approved of, while the principle of out-door relief to the able-bodied, as exemplified in the administration of the English Poor Law, had been condemned. He had shown also that in the English Poor Law itself the principle of out-door relief had been condemned, and only tolerated for a time. In 1836 a Commission of Inquiry was instituted with respect to the state of the poor in Ireland; and a Most Reverend Prelate near him (the Archbishop of Dublin) was a Member of that Commission. They had before them the light of experience arising from the management of the English Poor Law; they had been directed to inquire into the whole question—and to what conclusion had they come? Had they negatived the result of former inquiries? In the Third Report of that Commission, he found a passage he would now read to their Lordships:—

> "The rental of the country goes to feed commerce, to give employment directly or indirectly to profitable labour, and to keep society in a healthy state. If any considerable portion of it were devoted to the support of unprofitable labour, it would be in a great degree consumed without being reproduced. Commerce must decay, and the demand for agricultural produce and all commodities, except potatoes and coarse clothing, must immediately contract. Rents must therefore diminish, while the number of persons out of employment and in need of support must increase, and general ruin be the result. As the parish of Cholesbury became to other parishes in England, so would very many of the parishes in Ireland be to the residue at the end of a year from the commencement of any system for charging the land indefinitely with the support of the whole labourers; and as these parishes must bring down all others to their level, the whole of Ireland would soon have to lean on Great Britain for support. Thus instructed, we cannot recommend parochial employment or out-door relief for the labourers of Ireland. We cannot recommend a system which offers bounties on improvidence."

But the Committee further dwelt upon the deterioration which it would occasion in the character of the labourer; the idleness, ignorance, and dishonesty which it would render chronic. In that day's letters he had got but too lamentable a proof that such results might be anticipated if a system of out-door relief were permanently established. The relief under the Labour-rate Act was of the character of out-door relief. The present calamity had not been unattended by good consequences; he rejoiced at the union of different classes it had produced, of Protestants and Catholics, of owners and occupiers. He had sat on a relief committee by the side of one of the most intelligent and respectable farmers of Ireland—a man who had raised himself to that position by his own energy and industry. That farmer felt it his duty to reject the claims for labour upon the public works of persons who were not entitled to be put on them. What had been the result of his conscientious conduct? By a letter received that morning, he (Lord Monteagle) was informed that that farmer was now a corpse: he had been shot for the performance of his duty—in the administration of a system of out-door relief he had fulfilled his duty; and that had been the consequence. Let not any man say that that was a consequence peculiar to Ireland. Look at what had occurred in Sussex, where they endeavoured to impose a labour test; and the supervisor and overseer had been driven from the works under a threat of being drowned. The consequences flowing from the application of a bad principle were not peculiar to this or that country, but were universal. The report, then, of his most reverend Friend had equally condemned the principle of out-door relief. But the Government, wishing for further inquiry, had employed Mr. Nichols to investigate the state of Ireland. That gentleman had already been engaged in the administration of the poor law in England; he made his report in 1836. In 1837 he visited the north of Ireland, to collect further evidence; and in 1838, being desirous of still further knowledge on the subject, he went to Holland and Belgium. What had that gentleman reported as the result of his inquiries and experience?

> "To guard against the abuse and traces of evils which have universally attended the unrestricted distribution of out-door relief (that is, of relief administered either in money or in kind) to parties out of the workhouse, or at their own homes, I further propose that in Ireland no relief should be given except in the workhouse. This limitation should be specified in the Act, in order to protect the central authority from the pressure which is not unlikely to occur in this point, and which would otherwise be at times possibly too great for it to stand up against if not so supported. The strict limitation of relief to the workhouse, may possibly be objected to on the ground that extreme want is found occasionally to await large portions of the Irish population, who are then reduced to a state bordering on starvation, and ought, therefore, it may be asserted, to be relieved at the public charge, without being subjected to the discipline of the workhouse. This, however, is an extreme case, and it would not, I think, be wise to adapt the regulation of poor-law administration in Ireland to the possible occurrence of such a contingency. I do not therefore propose to make any exceptive provisions of out-door relief in any shape, not even in kind. But I recommend that in Ireland relief should be limited strictly to the workhouse."

Mr. Nichols went on to say that the evidence collected by the late Commissioners of Poor Law Inquiry in England had established the conclusion that out-door relief was inevitably open to great abuses, and entailed consequences prejudicial to the labouring classes and the whole community; and that to establish out-door relief in Ireland would be to act in direct contradiction to English experience, and to the spirit of English law. These were the views of Mr. Nichols, who retained the same opinion after visiting Holland; yet they were now called upon to retrace the whole of their steps—to undo all they had done—and to overthrow all the authorities on this subject. In 1837, after all these inquiries, the Crown recommended to Parliament, not simply to pass an Irish Poor Law, but a poor law guarded by such prudent regulations and precautions against abuse as experience and knowledge of the subject might suggest. These were general terms, such as were frequently inserted in a Royal Speech, to escape from the difficulties of a specific recommendation; but there was in this case no difficulty in knowing what was meant, because the speech of the noble Lord now at the head of the Government, in introducing the Bill, put it beyond all possibility of doubt, and not only showed what was meant, but explained the reason of his convictions. Lord J. Russell, in proposing his measure for the introduction of poor laws into Ireland, in February, 1837, stated—

"It was a long time before any considerable mischief was found to arise from the English Poor Law. * * * But there arose about the end of the last century, from circumstances which occasioned a great scarcity of provisions, a notion that all persons, whether deserving or undeserving, were entitled to be maintained by the parish funds. It was impossible that such an opinion of the law could be carried into effect without occasioning the greatest evils. This led to the new poor law, the principle of which, like the 43rd of Elizabeth, was to place the pauper labourer who should apply for support in a situation more irksome than that of the independent, industrious, and successful labourer. The means by which this is accomplished are by offering all such persons a residence in the workhouse. It is to these principles and experience that we must look very much as a guide in forming any poor law which we wish to introduce into Ireland. A question arises, whether you are to afford relief in any other manner than it is now given in some of the improved districts in England; that is, by in-door relief to the paupers? The Poor Law Commissioners have expressed a very strong opinion on this subject, and they give reasons which I think are conclusive. They are of opinion, and I think with them, that the administration of out-door relief would lead to a most pernicious system, mixing up mendicancy and charity with labour—a system of persons partly obtaining support by labour, and partly relief from the public purse; and if we were at once to adopt this system, I certainly do think that not only would those evils take place in Ireland that existed in England, but I believe that those evils would be very much greater, and that out-door relief would absorb a much greater part of the profits of the land."

He had also the authority of his noble Friend the present Secretary for the Colonies (Earl Grey) on the same side, for, incidentally to that inquiry, the question of emigration was touched upon in the House of Commons. His noble Friend said, that he objected to systematic emigration on the ground that it was a species of out-door relief which would give occasion to all manner of abuses. The declaration of Lord J. Russell at that time was precise and distinct; and up to last year not one word had been spoken by any Member of the Government in favour of out-door relief, nor, so far as he was aware, by any Member of the late Government. Yet now it seemed Parliament was called upon to adopt the measure without examination. In the Committee upon the Bill to which he had referred, a specific proposal was made to grant out-door relief by Mr. W. S. O'Brien, which was opposed by Lord Morpeth, whose name could never be mentioned without respect by those who knew what his nature was—who felt the benevolence, kindness, and charity, that belonged to his disposition. That noble Lord stated—

"I must give my most direct opposition to this proposition, thinking, as I do, that the worst clauses in the English Poor Law Act, and those which tend most to mar its beneficial progress, are those which extend the right of out-door relief. If Parliament once consents to open the door to out-door relief in Ireland, there would hardly be a family which would not take advantage of it, and throw themselves on the fund."

Here was a distinct declaration, made by that Member of the Government who was more immediately charged with the interests of Ireland. When the Bill came up to that House, the notion of out-door relief was condemned by the late Lord Fitzgerald, who knew Ireland well; by his noble and learned Friend opposite, who knew everything well. [Lord BROUGHAM: Proper to be known.] His noble and learned Friend's sentiments might be seen from the following extracts of speeches delivered by him on May 21st and 28th, 1837:—

"The main point was, whether relief should be limited, or be extended according to that accursed law of Elizabeth, which had ruined the character of the peasantry of this country, and from the effects of which we were now emerging, and able-bodied poor be thereby converted into unwilling workmen, though able to work." "Let the House beware how they neglected the experience of the past, and before they attempted to apply that principle (the relief of the able-bodied), let them recollect that England had hardly yet recovered from the evils which resulted from the system of unlimited relief. He implored their Lordships to profit by experience, and to avoid the ruin in which the system of indiscriminate relief had nearly involved this country, to confer on Ireland the blessing which the Scottish system of limited relief had bestowed on Scotland, and to save her from the curse of the old English Poor Law."

He need not say that he quoted these passages without any other purpose than that of strengthening his own case. Hitherto he had dealt with opinion; now he wished to ask their Lordships' attention to the subject as a matter of experience. They had seen the consequences of the system which had been established in England, and by these they might judge of the results which would follow, if the principles on which the English Poor Law had been framed were to be extended to Ireland. What happened under that Act? They had some pregnant and important facts on that subject, to which he prayed their Lordships' attention. In the Sixth Report of the Commissioners for 1840, he found the following statement:—

> "The deficiency of the potato crop of 1839 produced great alarm and distress. A scarcity of fuel was likewise apprehended, and the necessity of giving out-door relief was urged on the Government and the Poor Law Commission. Under these circumstances a Minute was passed, from which the following are extracts, Dec. 5, 1839:—'It has been represented that the law might be modified, so as to authorize out-door relief as a temporary measure, to meet the expected exigency of the times. This would open the whole question of out-door relief, on which the deliberate sense of the Legislature has been so recently recorded, that it can hardly be considered a question for discussion. The Legislature has deemed it most safe and expedient to prohibit all relief, except in the workhouse; and after every variety of opinion had been weighed and discussed during two Sessions of Parliament, it was finally resolved not to invest the Commissioners with a power of permitting or directing the administration of relief in any other way. Thoroughly convinced of the sound policy of that resolution, and having regard to the deliberate solemnity with which it was enunciated, the Commissioners cannot in any way sanction or encourage an application to Parliament having for its object the abandonment of that resolution.'"

The Commissioners then proceeded to discuss another proposal, namely, that the guardians should be permitted to distribute private subscriptions, collected voluntarily, in out-door relief; on which the Minute proceeds to observe—

> "This proposal, though well intended, is open to such objections that the Commissioners could not entertain it. If adopted, it would entail all the mischievous consequences of out-door relief in its worst shape. The guardians and other officers of the unions would find that they had created a number of pauperized dependants, similar to the pauper classes in England under the old system, whom it would be exceedingly difficult afterwards to restore to a reliance upon their own unaided exertions for support."

The Commissioners afterwards describe the result of their abstinence from interference:—

> "We have reason to think, likewise, that the dread of scarcity which prevailed so generally during the latter portion of last year, and the early portion of the present year, has influenced the people to be more careful and economical in the use of their stores than they would otherwise have been; and thus, by an exercise of timely forethought, they will have succeeded, it may be hoped, in averting distress to any serious extent."

This same question, as their Lordships would recollect, had been discussed last year; and he might claim for the view which he urged on their adoption the authority of a statesman who would certainly owe much of his fame with futurity, though in our own time he owed much of his unpopularity, to the steady and honourable course which he had taken with respect to the poor laws. In discussing last year Mr. Sharman Crawford's proposal for out-door relief, Sir James Graham said—

> "Had such a proposition, rendering out-door relief compulsory in Ireland, and extending it only to the aged and infirm, formed part of the Bill as originally introduced, the measure would not have received the sanction of the Legislature. This I say, even if the proposition had referred only to the aged and infirm; but the hon. Gentleman now goes further, and asks, under the pressure of temporary circumstances, to extend out-door relief to the able-bodied, by means of a compulsory rate. We have had experience in this country of the danger even under temporary pressure, of giving out-door relief to the able-bodied. It constituted, in fact, a payment out of the rate in aid of wages, and led to a system of relief, now called in England the labour rate, which, of all the noxious offshoots of the poor law in this country, proved to be the most dangerous and the most injurious. We have had experience in this matter in England, and having that experience, I cannot for one moment entertain a proposition which, even upon a general view of policy in reference to Ireland, I seriously and deliberately believe would introduce a most perilous and noxious system."

Under the late Administration, a Committee was moved in that House by a noble Earl connected with the county of Galway (the Earl of Clancarty), to which the noble Duke at the Table gave his assent, on the state of the Irish Poor Law. That was the last Parliamentary examination on the subject. The Committee had an opportunity of examining all the men connected with the administration of the law in Ireland; they acted without the slightest feeling of party, and only endeavoured to discharge their duty well. They examined Mr. Cornewall Lewis, Mr. Senior, Mr. Twisleton, Mr. Gulson, and Mr. Clements.

From the evidence before Lord Clancarty's Committee, in 1846, he took the following passages: Mr. George Cornwall Lewis having been asked, "What is your opinion with regard to giving out-door relief?" makes the following answer—

"My belief is that the introduction of a system of out-door relief in Ireland, similar to that which obtains in England, would be a most disastrous measure; I believe that in a few years, however carefully guarded the law might be, and however trustworthy and intelligent the administration of the relief might be, it would absorb all the surplus produce of the soil; and I think it would in a short time deteriorate the condition of the persons for whose benefit it was introduced. I think it would impoverish the rich without improving the condition of the poor."

Mr. Senior was asked—

"What do you conceive would be the consequence in Ireland if to the existing poor law were superadded out-door relief?"

His answer was—

"I believe that all the evils produced in England in 300 years would be produced in Ireland in 10. Would you conceive that in such case a poor law so operating would be a heavy burden on the land of Ireland?—Answer: It would be an entire confiscation."

Mr. Gulson, on being asked whether anything in the shape of out-door relief would not rather aggravate than diminish the evil of mendicancy, replied—

"Certainly; I have no hesitation in expressing my decided opinion that anything approaching to out-door relief in Ireland would very soon swamp the whole property of the country."

The opinion of Mr. Twiselton, who has had experience in England and in Scotland, gives a more detailed but equally decided judgment:—

"I conceive it would be a fatal step to introduce any system of out-door relief for the unemployed population of Ireland. The labourers are principally agricultural, and I believe it to be morally impracticable to devise a system of out-door relief for an agricultural population receiving low wages which should place a pauper in a worse condition than that of the independent labourer. In a workhouse you effect this by the test of restraint. A destitute able-bodied man applies for relief: you give him food and lodging, but deprive him of his natural liberty as long as he continues dependent upon you. Though he might get better food and lodging in the workhouse than at home, he will not go into the workhouse as long as other means of subsistence are open to him. But when you endeavour to employ simple labour as a test of destitution for an agricultural population, and to place the pauper by this means in a worse situation than that of the independent labourer, you are met by all kinds of difficulties. If there is a regular system of out-door relief for work, that work would be certain to the pauper employed, whilst the work of ordinary labour is uncertain. If there was a system of work as a test, a considerable number of labourers would prefer going to the work which was certain, to working for farmers, which is uncertain. I see no satisfactory way to get out of the difficulty. To give lower wages than the ordinary rate of wages, would in the long run rouse the feelings of the country. Cases would be brought forward of labourers with large families receiving wages apparently insufficient for their subsistence, and it would be found impossible to resist raising their wages. As for making pauper labour harder than agricultural labour, I doubt whether any general system will produce this result. You will fail in the attempt, though you stationed a corps of engineers and taskmasters specially educated for the purpose. This applies to a population living wholly on wages; but in Ireland, where many do not live wholly on wages, but on the produce of their little holdings, and any work of the kind would be pure gain, it is perfectly impracticable to devise any test but that of the workhouse which would put them in a condition inferior to that of the independent labourer."

Mr. Twiselton is confirmed by Mr. Clements, who, being asked his opinion of out-door relief, says—

"That he could not have failed to turn his attention to this great question. I think," he adds, "the advocates for out-door relief in Ireland have very little knowledge of the inextricable web of difficulties that they would get into, if such a law were passed. I cannot contemplate the possibility of obtaining the funds for general out-door relief in Ireland."

He was then asked—

"If the demand on the local funds were such as you suppose, would it not have the immediate effect of materially diminishing the means of employing labour; and would it not consequently in proportion as it extended relief to pauperism, diminish the labour-fund on which the industrious rely?"

The answer given is—

"Certainly." "The Committee concur in the opinion thus given by Messrs. Lewis, Senior, Gulson, Twiselton, and Clements, and do not hesitate in expressing their decided opinion that the introduction of any system of out-door relief would be dangerous to the general interests of the community, and more particularly to the interests of the very class for whose well-being such relief was intended."

In August, last year, he (Lord Monteagle) had protested against the Bill for organizing the public works system in Ireland, on its coming before that House; and had stated that he anticipated from it many of the evils which it had produced, and that it would lead to out-door relief. On August 26th, 1846, he (Lord Monteagle) stated—

"That he had another and a more fatal objection to this Labour-rate Bill, and that was, that it practically involved the introduction of the principle of out-door relief for the poor of Ireland. Whether that principle was right or wrong, he would not at the present stop to inquire; but he did say, it was the greatest social change ever made in any country; no change in the social economy was ever proposed so great as Parliament was now taking blindfold. He defied any noble Lord to distinguish the principle this Bill laid down from out-door relief. It was out-door relief, and nothing less."—" Lord Lansdowne denied that the Bill would lead to the adoption of a system of permanent out-door relief. He was as much opposed to the introduction of such a system as his noble Friend could be. He fully concurred with him, that it was a system of a vicious character, and one which, if adopted, must lead to the complete confiscation of the property of Ireland."

Now, he would ask, if he had not laid good grounds for those of their Lordships who did not come there with their minds previously made up, to support his proposition. But he did not ask so much as that. There was not a man who was favourable to the Ministerial scheme but might not, if he felt faith in his own doctrine, be at liberty to vote for his proposition. Let them take the evidence, not of Irish landlords, or of persons accustomed to Irish abuses, but of the witnesses before their own Committee. He had further evidence to tender to their Lordships, and the more important in its nature as not arising from Ireland. He called on them to consider the case of Scotland, as detailed in the reports now on their Table, and to see what were already the indications in Scotland of the consequences of applying the new poor law to that country. When he objected to that law, far be it from him to say that the state of the Scottish poor did not require great amelioration. No man who knew what had been the state of the lunatic poor in some parts, as in the island of Arran, could deny that it required amendment. But what was the result of the new law? Let any one read the documents appended to the first report. They had the authority of Sir G. Sinclair, a former Member of the other House, in favour of the workhouse test; and the same view was shared by Mr. Dempster, of Skibo, a gentleman well known for his great improvements in the county of Sutherland, as would be seen by the following extracts:—

" Speech at Thurso, Oct. 1, 1845.—The new system had already excited a kind of civil war in the parish, and the mutual good feelings which had subsisted between the rich and the poor were rapidly disappearing; private benevolence had been nearly superseded by the compulsory provision, and both payers and receivers, though from different motives, appeared equally dissatisfied, the former thinking they paid too much, the latter that they received too little. Numbers, too, of individuals, notoriously able to work, came unscrupulously forward and claimed to be supported by others."

" March 19, 1847.—Unless some plan be devised to prevent the spread of this evil, which I agree is far more destructive than the failure of the potato, I fear that before many years have elapsed, the whole rental of Ireland and of Scotland will be absorbed, and all the rich impoverished, without any improvement in the condition of the paupers. I am quite disheartened by what I see going on about me."

Letter of Mr. Dempster, of Skibo, 14th September, 1845:—

" We are, I may say, quite decided upon having at least two poorhouses in the county. Our reason is simple: in the workhouse test lies the only chance of preventing a mass of hopeless and lethargic pauperism pervading the country. . . If we give a *pro tempore* out-of-doors allowance to all whose wants we admit, we shall only perpetuate and much increase the evil and our own difficulties."

Sir George Sinclair said, 2nd December, 1845—

" I consider a workhouse expedient in order to prevent idleness, check insolence, and avert ruin. The rate here already exceeds 800*l.*, with every prospect of increase, especially as in this, and I believe every other parish, there are incendiaries at work to stir up the paupers against the payers, and lead them to imagine that none should take less than 6*d.* a day for each, more than many of them ever earned by labour, if that sum were given to both the parents of every family, besides an allowance for children. In the course of a very few years, unless some plan be taken to prevent it, the greater part of the rental and means will be absorbed in the maintenance of pauperism, as, besides new applications, there are great numbers on the roll who ask increase."

There was one argument used on this subject which he was conscious could not affect their Lordships, though he believed that at the present moment it had great effect out of doors. It was said by many of the petitioners who had approached their Lordships, that by applying an efficient poor law in Ireland, for the purpose of keeping the Irish poor out of England, a great object would be attained. Relieve, it was said, Irish poverty by Irish property, and protect us from the influx of starving paupers from that country. He (Lord Monteagle) grieved that the overflow of Irish poverty should be productive of evil to the labouring classes of this country. He had, on former occasions, endeavoured to discriminate between the two cases of the Irish labourers who came for a time into this country, and whose assistance was most useful, and the Irish labourer who came to settle, who, without raising his own condition, lowered that of the working classes of the district in which he settled. But he prayed those who attached any weight to this selfish argument, to consider whether the introduction of out-door relief to the able-bodied poor would produce the effect they expected from it, or one diametrically opposite. He would take on himself to say he would prove that the introduction of out-door relief to the able-bodied poor would produce a greater immigration of Irish poor into this country than had ever yet taken place; and just as out-door relief extended, would the immigration of the Irish poor also extend. Look to the experience of England, and compare agricultural counties with other agricultural counties. It was perfectly notorious that those counties of England in which wages were lowest were the southern counties from Kent to Dorset, where the system of out-door relief was most lavish and indiscriminate. In many of the northern counties, on the contrary, the simpler and wiser habits had resisted this abuse; and in Westmoreland and Cumberland, Northumberland and the North Riding, the rate of wages was highest in the latter class of counties. The wages were lowest in the pauperised, degraded counties in the south—Kent, Sussex, parts of Hampshire and Wilts, and, above all, Dorset. He did not say that because these two features were co-existent, they must necessarily be cause and effect; but he said that in those counties where there was least out-door relief, the wages were highest. What reason had they to imagine that the effect produced by this system in Ireland, would be different from what it had been in this country? Were they so prudent, so sensible, so averse to jobbing there, that what was unsafe in Kent or Sussex, would be perfectly safe in Cork, Kerry, or Limerick? And what was the cause of immigration? Evidently the difference of wages in the two countries. If you lowered relatively the wages in Ireland, as compared with those in England, it was perfectly clear that you would have a great increase in the immigration. Mr. Sturges Bourne's report in 1817, was quite decisive upon the principle; and the report upon Labourers' Wages settled the question of fact as to the wages in different parts of England, and showed the places where the parish payment began when the labourer had a single child, wages being so low that a wife and child could not be supported without parish assistance, the out-door relief system leading to the allowance system, and thus destroying all check and keeping wages low. Before the Committee in 1830, Mr. Musgrave, Mr. Bates, and other witnesses, showed also that a system of out-door relief must lower wages. The argument, therefore, that you could not remedy the evil of immigration by the out-door relief of the Irish poor, was the most absurd, illogical, contradictory to all experience, ever attempted to be palmed upon the credulity of mankind. But if this did not ward off the evil, would their Lordships consider whether it was not most likely to produce it? If you reduced a neighbouring country, within a few hours sail, containing 8,000,000 of people, to poverty, misery, and destitution, was it not natural that they would flock to any spot where they saw a chance of bettering their lot? Now, would not the complaints of Liverpool or Newport be increased, if the time should come when labour in Ireland was deprived of its own reward, when security for capital no longer existed, and all was reduced to one miserable, dreary waste of poverty and destitution? What was to be the next step? An agrarian law? Divide and distribute the whole property among the millions by an agrarian law, and you would not even pass from the elephant to the tortoise; you would not get to the solution of your own question; you would only create accumulated suffering. Unless we came to that remedy which was once suggested—but not seriously, for a better man than the late Sir Joseph Yorke did not exist—scuttling Ireland and leaving her for twenty-four hours under the sea, we must have the pauperism of Ireland reacting upon England; and just in proportion as Ireland was degraded and debased, in that very proportion, throughout the length and breath of the country, in its metropolis and its cities, as well as in their Lordships' halls, they would have to suffer for the misery they inflicted. There was one other question on which he would say a few words before he sat down—the proposed extension of the rated districts. He reckoned upon it as a certain fact, that this could not be done without the utter destruction of property in Ireland. As to the proposition for union rating, or townlands rating, he believed them equally objectionable, and was satisfied the former would be entirely destructive to Irish property. To make one landlord responsible for the poverty or the property of another landlord, who might live fifteen or twenty miles away, would be contrary to all justice; it would make the well-managed estate responsible for the ill-managed estate. Before he concluded, he would remind their

Lordships that all his arguments referred to the adoption of these measures as a permanent system, and not to their temporary employment in a time of famine. In the course their Lordships would take, whatever it might be, they ought not to disregard all experience on the great question before them: of all the social experiments ever tried in any country, that which their Lordships were about to make, blindfold as it were, was surely the most awful. He called on the Government to place before the House the reasons which induced them to adopt it, and to lay before their Lordships all the materials of information they possessed, that they might ponder over them during the Easter recess; and he called on the Government to show their Lordships why they had taken such a step as the present. Let it not be said that he was opposed to making Irish property responsible for Irish poverty. Let the House impose a property tax on Ireland of 10, 15, or 20 per cent, if they pleased. What he claimed was, not protection for his land from taxation, but the protection of his country from the misapplication of the money which would be raised by taxing her. It was against degradation to the people, and against the destruction of the social system, that he protested infinitely more strongly than against the amount of taxation they might be disposed to put upon Ireland. Let them wisely and carefully extend all over the country a liberal system of medical relief to the sick poor—let them extend their asylums for the relief of every evil under which humanity suffered—and if the insane, the blind, or the aged required assistance, let them have it. Let them double the workhouse relief, if they would; but let it be remembered, that in Ireland the land was now paying, in proportion to the rental of the country, as large a contribution to the poor law as property in England. The poor-law assessment of Ireland would amount to 700,000*l.*, which, with the local taxes under the same head, would amount to 800,000*l.* There were other steps which might be taken for the improvement of the country. They could go much further than they had yet gone with the education of the people; but above all with respect to emigration, not only could they but must they make much greater advances. It was impossible to meet the contingency in which Ireland was placed without going infinitely further than Her Majesty's Government had as yet gone in taking steps for the emigration of the redundant population. The noble Lord concluded by thanking the House for the patience and attention with which they had listened to him, and by moving—

> "That a Select Committee be appointed to consider and to report on the Recommendations of the several Parliamentary Committees and Commissions on the State of the Irish Poor, as relating to the Expediency of introducing permanently the System of Out-door Relief for the able-bodied Labourer; and on the Effect of such a Measure on the Well-being of Ireland, the Interests of the Poor themselves, and the Immigration of Irish Paupers into Great Britain; And also to consider and to report on the Effects of enlarging the present Electoral Divisions, for the Purpose of raising and levying the Assessments under the Poor Law."

Earl GREY said, he could assure their Lordships that it was with very great regret that he felt himself under the necessity of asking the House to refuse its assent to the Motion of the noble Lord, which, in whatever light he considered it, appeared objectionable to him. He really did not know what was the noble Lord's real object in making this Motion. He knew not whether the Motion was really meant for the purpose of inquiry of a practical and useful nature, in directing the future deliberations of their Lordships; or whether, on the contrary, it was intended to induce their Lordships to express by anticipation an opinion unfavourable to a particular clause in a Bill which would shortly be brought up from the other House for their Lordships' consideration; and which clause had been carried in the other House by an overwhelming majority, not made up entirely of English Members; for, excluding from consideration the English Members who voted on either side in the division, there still remained a majority of Irish Members in its favour. He would ask their Lordships, who had listened to the speech of the noble Lord, was the real object of the present Motion inquiry, or was it the condemnation of part of the measure which would shortly be brought under their Lordships' consideration? For his own part, he confessed that, having listened very attentively to the whole speech, he was in great doubt as to which of these two objects his noble Friend sought to effect. In either case, he considered the Motion objectionable. If his noble Friend meant a real inquiry—if he proposed that they should now enter upon an inquiry which was to be of practical use in guiding their future deliberations—then it was clear that what his noble Friend proposed would have the effect of delaying legislation on a subject which, beyond all others, was most pressing. His noble Friend disclaimed the intention of wishing to cause delay, and no doubt he did so truly; but if they opened the door now for inquiry—if a Committee once began such an inquiry—it would not discharge its duty unless it sat many months in carrying on so large an inquiry. His noble Friend, in proposing this Motion, complained of that House being called upon to investigate important subjects at a late period of the season. And what was his noble Friend's remedy? This Bill to which his Motion had reference, would be passed the first day after the recess, in the other House. It would then immediately come before that House. They might be discussing the clause to which his noble Friend objected, in Committee in the middle of April; whereas, if his noble Friend's Motion was carried, they would not be discussing it till the month of August or September. What, then, would be the object gained by a Committee? They would learn that which they had been told in Committees and Commissions without end. Was it the object to have a digest of what had been reported by former Committees? Why, that duty had already been performed, in one sense, by his noble Friend. They had from him a complete digest of all opinions that could be urged against out-door relief. Then, what else would be gained by a Committee but delay? for hearing *vivâ voce* evidence must inevitably lead to delay. The fullest information that could be gained had been already collected, and all that now remained to be done was to pronounce a judgment; and that was a function Parliament could delegate to no Committee. If the noble Lord meant that his proposed Committee was merely to make a digest of other reports, he (Earl Grey) saw no utility in such an elaborate method of adding another pamphlet to the number already written on the subject. He thought that every man had now the materials at hand to enable him to make up his mind on one or other side of this important subject. It was then the time for them to pronounce their judgment, and that, he said, was a duty which belonged to both Houses of Parliament, and that they could intrust to no Committee that they might appoint. He therefore thought that his noble Friend had failed to show any sufficient grounds for his Motion, if it were really intended as one of inquiry. But, viewing the Motion in what he believed to be its real aspect, and regarding it as a Motion asking the House to condemn part of a measure about to come before their Lordships, he thought it even more objectionable in this point of view than in the other; and he confidently appealed to their Lordships to reject such a Motion, on the ground that to render legal relief for the poor in Ireland really effective, was one of the measures most required for the improvement of the condition of that unhappy country. For himself, he had no hesitation in expressing his firm persuasion that an alteration of the existing poor law for Ireland, which should make the property of that country really and effectively liable for the maintenance of the truly destitute there, was of all the measures of legislation which their Lordships had to adopt, one most essentially necessary. His noble Friend had implied—and this was a point on which he wished his noble Friend had spoken out clearly, distinctly, and intelligibly—that Her Majesty's Government had brought forward this measure, not in consequence of a sincere conviction of its necessity, but in consequence of a pressure from some other quarter. He was totally unable to guess what was the quarter to which his noble Friend alluded. He asked his noble Friend who was to be responsible for this measure but Her Majesty's servants? What did his noble Friend mean when he said that some other persons were responsible, and not Her Majesty's servants, for bringing this measure before Parliament? But whatever his noble Friend meant, this he could say, that Her Majesty's servants were one and all persuaded of the necessity of such a measure; and he (Earl Grey), for his part, entertained the strongest conviction to the effect that the measure which was now passing, and, he was happy to say, with such large majorities, was one absolutely necessary for the welfare of the sister kingdom. He did not deny that it was a perfectly legitimate and Parliamentary mode of proceeding, to ask that House by implication to express an opinion on a great question of policy before the Bill which raised it came under their Lordships' consideration; but he must add, that he thought it an extremely inconvenient course; and, in this particular instance, the speech of his noble Friend afforded a strong proof of the inconvenience. Throughout the whole course of his speech, his noble Friend had been fighting a chimera of his own creation. He had been attacking one measure, while that which their Lordships would have to discuss, was something very different. His noble Friend had throughout been treating the question as if it were one adopting, as the general and permanent system in Ireland—as in the ordinary course of things—a system of outdoor relief to the able-bodied. He would venture to tell his noble Friend, that not that, but something very unlike it, was proposed. He would state what the real proposition was. The poor law in Ireland at the present moment made the grant of relief entirely discretional. The boards of guardians were empowered, but not required, to relieve the totally destitute. It was now proposed by the Government measure, and he thought not without grave reasons, that in future the boards of guardians should be not only empowered, but required, to relieve the really destitute; and it followed, if that principle of legislation were adopted, that when any particular workhouses were full, some other means must be provided by which those entitled to relief should obtain it. Accordingly, in the Bill now before the other House, it was proposed to be enacted that when any particular workhouses were full, or when from another stated cause they were not available, then, and then only, under a temporary order from the Poor Law Commission, strictly limited in point of time, but renewable as long as the necessity existed, relief out of the workhouses should be granted to the able-bodied. That was the proposition which was really submitted to Parliament by the Government; though the speech of his noble Friend was calculated to lead those who had not actually read the Bill to a very different conclusion. The whole speech of his noble Friend consisted of an argument founded on the abuses of the English Poor Law. He (Earl Grey) was not going to deny the existence of such abuses—still less would he assert that the system which allowed those abuses to grow up was a good one. The noble Lord had contended, that a system under which relief was afforded in such a manner as to render it a matter of indifference to the poor man whether he maintained himself by honest industry or existed on the parochical allowance, would sap the very foundations of society, by destroying all stimulus to industry. The noble Lord had also denounced the mischievous effects of allowing relief in aid of wages; but it appeared to him (Earl Grey) that his noble Friend's arguments were totally out of place, because the noble Lord seemed to forget that if the abuse of the poor law was to be strongly condemned, an effective poor law, which provided that property should be responsible for maintaining the really destitute in case of extreme need, was of the utmost value and importance to society. Such a measure would enlist in favour of those laws upon which the security of property depended, the feelings of persons who did not possess property, as well as of those who enjoyed it. When society declared that, so far as such an event could be prevented, no man should be left to die of hunger while the means of subsistence were at hand, they gave to that great mass of the people who were compelled to trust to labour, rather than to accumulated property, for their subsistence, an interest in maintaining those laws upon which the security of property rested; and by so doing, he believed, they obtained the very first essential for creating a rich and prosperous community, and gave an impulse to industry and improvement of every kind. He believed this would be the result of the measure which was now before the other House of Parliament; for wealth had accumulated with marvellous rapidity in this country; and he would ask, from what period was this progress to be dated? From the very time when a law was passed by the English Parliament providing that the really destitute should not be left without the means of relief in the extremity of their misery. From the very moment when that Act was passed, the state of society in England began to improve; security was established; property began to accumulate; industry to flourish; and year after year, and century after century, this great country had advanced in wealth and prosperity to the high point which it had now attained. But our experience on the other side was no less instructive. What was the great cause of the misery of Ireland? Every man who had considered the subject would reply, that Ireland was poor and miserable on account of the insecurity which prevailed in that country—that industry did not flourish, and capital did not accumulate, because there had hitherto been no security that those who were industrious would enjoy the fruits of their industry. Whence, then, had this insecurity arisen? He thought the inquiries instituted of late years by Commissioners and by Parliamentary Committees, confirmed as they had been in their conclusions by private inquiries, which had contributed so much additional information, combined to show, that the great cause of that insecurity had been the feeling on the part of the population of Ireland that they must cling to land at all hazards as the only means of existence: the people felt, that if they allowed themselves to be deprived of their land they might be left to perish upon the dunghill without relief; they regarded the possession of land as the one sheet-anchor to which they must look in every extremity, and at all hazards they determined to maintain it. It was this deep-rooted feeling which gave rise to the systems of combination and to the midnight legislation of Captain Rock; and the unhappy state of things to which it had given rise, was the cause which rendered improvement in Ireland most difficult, if not impossible. Political causes, undoubtedly, had greatly contributed to produce these results; but he did not believe that among those political causes there was any one which had been so powerful in its operation as the absence of any security, even for a mere subsistence, to the man who in Ireland was ejected from his small holding of land. His noble Friend, then, had omitted to point out, that, if the abuse of a poor law was a great evil, the existence of a well-regulated poor law was a great blessing to society. Would it be contended that an effectual poor law could not exist without abuse? The simple answer to such an argument was, that a period not far short of 300 years had elapsed since the system of relief for the destitute was commenced in England; and the abuses which the measure adopted by Parliament a few years since was intended to remedy, were not of more than forty or fifty years standing when that law was passed. It must be remembered, also, that there were many districts of the country in which those abuses did not prevail to any considerable extent. In fact, experience had clearly proved, that a system of effectual relief might be maintained without those abuses which his noble Friend would represent as a necessary part of such a system. He (Earl Grey) must correct an error into which his noble Friend had fallen when he stated, that under the 43rd of Elizabeth relief could not be legally given to an able-bodied poor man out of the workhouse. [Lord MONTEAGLE: Without work.] Oh, that was quite another thing. His noble Friend certainly said, most distinctly, that under that statute no relief could be given to the able-bodied poor out of the workhouse. Now, his noble Friend would find, when the Bill, which was at present in another place, came under their Lordships' consideration, that it did not contain one word rendering it necessary to give relief without work. That Bill allowed the administration of out-door relief under extraordinary circumstances, and guarded by great precautions; but such relief was only to be afforded under such regulations as the boards of guardians might think proper to establish in order to prevent abuse. He (Earl Grey) was of opinion, that if a workhouse was full, a board of guardians, in sanctioning relief in kind to the able-bodied poor, would do well to require work from the persons relieved as a test of the reality of destitution; and there was nothing in this Bill in the least inconsistent with such a principle. He had been about to say, in answer to the statement he had understood his noble Friend to make with reference to the 43rd of Elizabeth, that he believed there was not a single workhouse built in England within 100 years after the death of Elizabeth. He (Earl Grey) contended, then, that in establishing an effective system of poor relief, they might adopt such regulations as would prevent the occurrence of abuse. His noble Friend had said, that out-door relief was liable to such extreme abuse that even the test of work was altogether useless; and in support of his statement the noble Lord referred to the experience of the last six months in Ireland. He (Earl Grey) would, however, suggest to his noble Friend, that there was a little difference in point of economy between those who administered their own money, and those who administered the money of other people. He thought those who had carefully read the blue books upon the Table would see that the extreme abuses which had taken place in Ireland within the last six months, had arisen from its having unfortunately been believed in that country, that a very small part, if any, of the money expended would really have to be repaid by the parties who authorized its disbursement. If these sums had been raised at the time by rate, by the parties who distributed the relief, he had a strong persuasion that there would have been a greater severity observed in the manner of administering it, and that the abuses complained of would not have occurred. He (Earl Grey) was bound to say, that, as far as he could judge from what had passed, he was afraid the boards of guardians would rather fall short of giving enough relief, than afford too much. He would refer their Lordships to the extracts of correspondence, relating to union workhouses in Ireland, recently laid before the House, in order to show what was the state of things with which they had to deal. The only mode in which relief could now be given in Ireland, under the law, was in the workhouses; and he would ask whether, under the pressure of distress last year, so large an amount of relief had been afforded as his noble Friend (Lord Monteagle) seemed to think was the case? He would take the union of Castlebar. The date of the last rate for the relief of the poor struck in that union, notwithstanding the unexampled distress which had prevailed in the country, was September, 1845. The union workhouse, which was capable of accommodating a very large number of paupers, was three parts empty; under a frightful pressure of distress numbers of unhappy creatures had prayed to be admitted, but the board of guardians declared their inability to provide for them. What, then, was the amount of rate imposed? Was it very enormous? He found, that in the electoral division in which the rate was highest, it was 2*s.* 6*d.* in the pound; and in the division in which it was lowest, it was 1*s.* 3*d.* He had the curiosity to compare what had been done in this country, in seasons of far less pressure, with what had been done under the extreme distress now existing in the Castlebar union. Early in 1843 he had occasion to bring under the notice of the other House the great distress then prevailing in England; and he was furnished by his then constituents with some very remarkable documents showing the efforts which they had made to relieve the distress in Sunderland. He found that in 1841, in the township of Monkwearmouth-Shore, a rate of 2*s.* 3*d.* in the pound was made on the 14th of January; another rate of 2*s.* 6*d.* on the 8th of April; a third rate of 2*s.* 3*d.* on the 12th of July, and another rate of 2*s.* on the 30th of September; making a total rate of 9*s.* in the pound during the year. The guardians of this district had levied their rates properly, instead of leaving half the amount uncollected, as had been the case at Castlebar.

Lord BROUGHAM observed, that one of the rates struck at Castlebar ought to have produced 1,100*l.*, but only 35*l.* had been actually obtained.

Earl GREY: He found that in the township of Monkwearmouth the total amount of rates levied was 3,232*l.* 7*s.*, the sum outstanding only amounting to 216*l.* 10*s.* 7*d.* In 1842 the distress became still more severe, and rates were then levied in the township he had mentioned, amounting in all to 13*s.* 3*d.* in the pound; and it was instructive to observe, that during the period of this distress the rated value upon which the rates were collected was progressively diminishing, for, in consequence of the pressure of the times many houses were unoccupied; notwithstanding this circumstance, however, his then constituents exerted themselves in a manner truly honourable to them, and raised the large sum he had mentioned. He thought, then, looking at the amount collected in Ireland, that there was no reason to apprehend that any extremely lavish relief would be afforded by the boards of guardians in that country. He (Earl Grey) must also observe, that the Irish peasant was notoriously most unwilling to avail himself of the workhouse; and this most important safeguard was adopted in the Bill now before the other House—that out-door relief should not be afforded till the means of in-door relief were exhausted. The unions of Ireland were at liberty to increase their workhouse accommodation to the utmost extent they might think desirable; and, as long as they had workhouse accommodation available, the law would not admit of any out-door relief being given to the able-bodied. He (Earl Grey) regarded this as a complete security against abuse. It was clear, from the returns which had been laid before the House, that, till the distress had become very severe, even the existing workhouse accommodation in Ireland was more than sufficient for the paupers. He believed, that scarcely any workhouse in the kingdom was more than half full, and many of them contained very few inmates. The Bill before the other House provided that relief might be given out of the workhouse to the infirm and impotent poor. He (Earl Grey) had not heard his noble Friend express any objection to that provision, and he believed it had met with general approval; but it was clear, that by this arrangement the amount of accommodation available, in order to test the reality of distress among the able-bodied poor, was very largely increased. The system which it was proposed to establish in Ireland would resemble that which existed in well-regulated unions in England. In ordinary times the workhouse would be sufficient to meet the demands for relief, and the able-bodied poor who applied for relief would obtain it in the workhouse. In extraordinary times, during periods of unusual pressure, after the reality of want and destitution had been ascertained by the tender of the workhouse in numerous cases, when the workhouse became full, relief would then be given out of the workhouse to those to whom it could not be otherwise afforded. Surely this was a system which, if the boards of guardians did their duty, afforded ample means for obviating abuse. In well-managed unions in England, relief was never given out of the workhouse to the able-bodied under ordinary circumstances; but the moment a period of severe pressure arrived, there was a suspension of that rule. A few years ago, when great distress existed in Nottingham, this system was acted upon. The workhouse was used to test the reality of want in all suspicious cases, and as it was clear that a great number of persons were unable to obtain subsistence, those who could not be accommodated in the workhouse were employed out of doors, and were paid partly out of the rates, and partly out of large contributions which were then raised. That was precisely the system which they now wished to be adopted in Ireland; and that was exactly the security which they ventured to tender against abuse. He knew it had been said, less frequently than he had expected by his noble Friend in the course of his speech, that the number of destitute persons in Ireland, particularly in some of the counties on the western coast, was so great, that it would be found utterly impossible to provide for them profitable employment. That was an argument which seemed to him to have followed from very erroneous premises. He admitted that if they looked to particular districts in that country, they would find themselves in the presence of persons by a great deal too numerous to be profitably employed; but if they looked to Ireland as a whole, he denied that that was the case. They could not doubt if they looked on Ireland as a whole, that there were means of profitable employment sufficient to sustain her entire population. If the people of Ireland were, as they were said to be, ill fed, ill clothed, ill housed, it was owing incontestably to this fact, that their labour was not called forth as it might be, and that when it was called forth it was improperly directed. He was convinced that it was the misdirection of the labour of Ireland at this moment, which was the cause of the present fearful distress. When they looked to the extent of land capable of being reclaimed, and hitherto neglected; if they looked to the extent of land which had been cultivated, and which was capable of being still farther improved; if they looked to the mineral wealth of Ireland, as yet untouched, and to her immense water power and her fisheries; they could not hesitate for an instant in granting that, if the labour of Ireland was properly applied, and judiciously directed, it would be sufficient, unaided, to maintain the people, not only in a condition superior to that in which they had so long existed, but in comfort and happiness. Certainly the change they desired from the contemporary state of things could only be gradual; but no law which Parliament could pass would more contribute to hastening the metamorphosis than that law which should provide effectual relief to those who were really destitute. And this law would act as an inducement, the strongest and most powerful, to individual exertion. The labourer would not voluntarily throw himself into the workhouse; and the alternative which such an enactment would leave to the landlord would be, either to maintain the poor in idleness, or to employ them in a manner which add to the value of landed property. Such a measure as this would compel the proprietors of the soil to develop its resources; and he (Earl Grey) was satisfied, if they exerted themselves as they were bound to do, that the population would find ample employment, and that the employer would be amply repaid. The assistance of this country must be given to facilitate the change, and that aid it was disposed to offer. Their Lordships would remember that this was not the only measure before Parliament, introduced with the object of sustaining Ireland in that transition-state through which her progress was now so painful. There were, before the other and that House, Bills to enable the proprietors of incumbered estates to relieve themselves of the responsibility, to promote the investment of capital, and so employ labour, to encourage fisheries, and to reclaim waste lands; and these measures all proceeded with equal steps, and would be applied to the same purpose. The Irish people, too, were themselves making great efforts. An enormous stream of emigration, great beyond all anticipation, was setting out to our own colonies and to the United States. The Government, therefore, had a right to expect that, by degrees and gradually, an extensive improvement would take place in the condition of Ireland. While he expressed this confident opinion in favour of these measures and of their results, let him not be misunderstood as not looking forward to the future of Ireland with the utmost anxiety and apprehension. It was impossible for any man to view what was going on in that country without experiencing feelings of the deepest alarm. Though the measures which Parliament might pass, seemed to him to be the best which could be devised, in which he placed the firmest trust, and which, as he considered, were as well calculated as any their Lordships' wisdom could suggest to ameliorate the circumstances of the country, still he was sensible that nothing they could adopt, nothing short of a miracle, could effect a sudden and immediate improvement in evils of so long a standing and of so inveterate a character. It was surprising to hear his noble Friend declare, that so far from doing that which he (Earl Grey) prophesied, this measure would reduce the people of Ireland to pauperism. Reduce the people of Ireland? Why, was it possible to reduce a people supposed to be in the extreme of misery and destitution? That was the description which the Commission of 1836 gave of Ireland; such was the correct description of Ireland at this moment; and that being the habitual state of things, his noble Friend told them to go on as they had begun, and refuse to adopt that system under which England (formerly in a position somewhat similar) had risen and flourished—under which industry had found its reward, diligence its profit, capital its return—and under which the evidences of wealth and the proofs of prosperity had been spread on every side of them. His noble Friend told them to reject that system, lest they should reduce Ireland even below its present condition. That was an extraordinary argument: any other might have have plausible; but that could have no weight with any man. His noble Friend had adverted to the opinions which, in former years, had been expressed by himself (Earl Grey) and his noble Colleagues. He denied that there was any difference between the principles they had then, and the principles they now, professed. In the year 1838, it was true, they proposed a measure for the relief of the poor in Ireland far less extensive than that which was now under consideration. He thought, even with the experience he had had, he should, under the same circumstances, have again taken that course. He confessed, considering the greatness of the change, it was above all expedient that they should proceed cautiously and gradually. At the same time, he fully admitted that he had expected from the measure of 1838 an effect far more beneficial and powerful than that which had really been produced. The principle, however, in conformity with which that measure had been introduced, he regarded as precisely the same as that he had now laid down, viz., that in Ireland, as in England, they ought to provide by the law for the relief of extreme necessity. They then said that, without that principle being acted upon, they could not establish the security under which alone a country could prosper. He had then, however, ventured to think that relief within the workhouse would have been sufficient: that expectation had been disappointed, and the principal reason was that the local authorities to whom the administration of the law had been confided, had not applied it with that vigour which was desirable and requisite to ensure success. He also, in part, attributed the failure of that enactment to the circumstance that, as his noble Friend was aware, it had been intended to accompany it with other measures; and that, from unavoidable events, those measures had never been brought forward. From the experience they had since had, not changing that principle on which they based the original measure, and, not varying that policy which they first recommended, they found that it was necessary to proceed further in the same direction. He would only add, that while undoubtedly he felt the greatest apprehension as to the future, he still saw nothing in the condition of Ireland which should lead them to despair. She possessed still all the elements of wealth if she would be but true to herself. If she exerted herself, as he trusted and believed she would, and as he thought the Bill under discussion would tend to induce, he saw no reason why she might not emerge from the present dark season of adversity to a state of greater happiness and prosperity than she had ever before enjoyed. That she might do so was his most earnest wish.

Lord BROUGHAM could have wished that some one more immediately connected with the sister kingdom should have addressed the House. The subject under discussion was the most important, and he would say the most alarming, that he remembered seeing brought before Parliament since he had been a Member of the Legislature. He did not use the words rashly or inconsiderately, though they were used in reference to every question that came under notice: that was his deliberate conviction. He would not—notwithstanding that he was tempted by the examples of the noble Lords who had preceded him, and he did not wish to—enter into the details of a Bill not yet before the House. He desired to avoid debating generally the principle of a provision for the poor; but he could not help expressing his opinion on what he considered to be the unhappy course in which they were still persevering and persisting. He was not discouraged so far as to think it hopeless that he should ever prevail upon their Lordships to abstain from going further in that course, by the total failure which had attended every attempt he had made in that direction from the beginning of the Session. He had on the first night of the Session entreated their Lordships, while in the midst of that calamity under which it had pleased Providence to decree that we should labour for a season—and he hoped only for a season—while in this crisis of our affairs, which, as he trusted, was but a crisis, temporary and terminable—that they should draw a broad and deeply-marked line of distinction between the two classes of measures; the one, measures of a temporary nature, of an extraordinary description, formed, and calculated, and framed to meet a temporary crisis, and to bear us up under extraordinary circumstances—a passing and fleeting pressure; and the other, a class of measures to which the subject before them unhappily belonged—permanent measures, of a general application, and going permanently to alter the whole policy of the empire. He had implored their Lordships that they would avoid the latter class of measures; and that if they needs must deal with the former, they should fairly give their aid and assistance, so far as they could, consistently with paying respect to the principle of being beneficent as well as benevolent—that was to say, consistently with taking care that they did not injure rather than benefit—when their object only was to do good. He had pointed out how necessary it was, when the question came to be that of altering the whole policy of the critically circumstanced and difficult to be dealt with portion of the empire—the sister kingdom of Ireland—that they should do nothing rashly, nothing in the dark; that, in the storm in which the passions were now placed—pity on the one hand, and passions of a less laudable and less amiable nature on the other—they should wait until the calm had succeeded, and until they could coolly and deliberately and fairly exercise their legislative functions. If they took this step, they did that which they could not afterwards remedy. They might safely do a little in order to do more; they might legislate within narrow bounds, so as to meet a temporary emergency, and then wisely wait to see if they were required to go further; but when they adopted such a measure as this, they would find it less easy to stop than necessary to go on. He might approve of those temporary measures which had been introduced, because they were not irrevocable; they only operated to a limited extent, and if on trial it was found expedient, there was no difficulty in retrograding; but it did not follow that he must vote in favour of the establishment of a principle which, if once sanctioned, could not afterwards be gainsaid. Once pass a poor law like this for Ireland—for any country inhabited by millions of men—and they could not retrace their steps. *Volat irrevocabile verbum;* once say that Irishmen shall be fed, as they would be by this measure—not because they were entitled to it by their own exertions, but because they were located on an estate, and because the proprietor of that estate was bound to find them food, and, if he liked, could find them employment—and they would at once enact that the peasant and the landlord had opposite interests, and were to be treated by the State as enemies to each other. In declaring his disapprobation of such a measure, he repudiated the idea that he had any inclination to legislate for one class to the injury of the other; with the one, both politically, and as a member of the same class, he felt, in the circumstances in which they were now situated, the liveliest sympathy; but he sought the interest of the other as a man who saw nothing alien to him that concerned humanity. Once pass a law of which such would be the effect, and naturally one class was ruined because the bulk of the property would be sacrificed; the other would be still more irrevocably ruined by the destruction of character, independence, and industry; and until this occurred—until this was consummated—they could neither retrieve nor retrace the step they would shortly be called upon to take. It was not a question like the repeal of the Union, on which a very small minority might be expected; for on that question the smallness of the minority was not a proof that it was not well considered and disposed of: the question was, whether they should pass a poor law for Ireland like that which, if it had not been enacted by Elizabeth, men would pause and think long before they passed it in England? And if that law was bad for England, it must be ten thousand times worse in Ireland. It was a clear case, it was self-evident, what must be the effect of a poor law in Ireland; yet how many Members of the House of Commons voted against the clause by which the principle of out-door relief was given? Thirty-six. And how many of them were Irish? Thirty-two. So that upon this great, difficult, and, in the eyes of many, frightful question, there was so much deliberation, so little pressure from without, so little influence of feelings roused by the cruel calamity under which their fellow-men in Ireland were suffering, pining and dying, that just four English, Scotch and Welsh Members were found to vote against the clause, to the 180 or 190 who voted for it. Could he have a more convincing proof that this was not the deliberate decision of the Commons of England in Parliament assembled?—that this was not the time at which such a decision ought to have been taken? It was a jest to talk of a permanent system of poor laws affording any relief in the present pressure upon Ireland. If that was the case, ought they to adjourn for a fortnight at Easter? Ought the first reading of the Bill in that House be deferred to the 1st of April, or at least the first day after the recess?—for the 1st of April would be an ominious day to read such a Bill on; they ought not to have adjourned even over the fast-day, because mercy was better loved than sacrifice; they ought not to have fined the people of England 300,000*l.* or 400,000*l.*, which, by depriving them of one day's wages, was really the case—more than all the amount that had been given in charitable subscriptions; but if the object of the Bill had been to meet the temporary crisis, they ought not to have adjourned for a single day, but to have passed it as hastily as the forms of Parliament allowed. It did not require a moment's argument, however, to show that the Bill could have no material effect in meeting the present crisis. He had many other serious objections to granting a poor law to Ireland; he could not find the machinery in that country capable of well executing that law, and there was no reason to expect the existence of that machinery; he could not trust to the authorities in whose hands the law would be placed. He spoke it with all respect to his brethren and fellow-citizens in that part of the United Kingdom; but he was not disposed to trust the powers of this Act to any Irish functionaries at all. The noble Earl (Earl Grey) had very great doubts whether relief would not rather be too stingily given than too lavishly. From a reference to documents and returns, he should be disposed to share those doubts; but they knew the Act would not be allowed to remain a dead letter; if the present machinery would not do, another must be found. They could not repeal the Act, because there was no machinery to work it; they decided that the people had a right to relief out of the workhouse. That would be known and greedily accepted by the poor of Ireland, and they must needs find machinery to carry the law into execution. They must have Government officers of some kind and a large force, whether civil or military he did not inquire. Look at the Castlebar union; there they had 1,100*l.* in rates due; only 35*l.* of that was collected. Why? Because it was not wanted? No such thing; the union at that time was 400*l.* or 500*l.* in debt; but they could not collect any more than 35*l.* He feared the same difficulty would be found elsewhere; he feared, too, the great increase in the amount to be collected would not lessen that difficulty. If there was one thing more disagreeable to the Irish mind than another, it was the payment of direct taxes. He spoke with a fellow-feeling—he knew himself it was a disagreeable operation—one very difficult to get executed in Ireland. There was no other reason for not applying to that country the income tax, the land tax, and the assessed taxes. The forbearance arose from no want of good will; the nature of Chancellors of the Exchequer was not of that soft, and malleable, and tender kind, that from mercy the sacrifice of Ireland to the income tax and the assessed taxes had never been insisted on: it was because there was never any hope of being able to get them—the expense of the collection would be so great, that the net revenue would hardly be worth receiving. This would be the case with the rates. See what a state Ireland had long been in. The pamphlet of Mr. Canning described the destitution and starvation of that country, and stated the number of medicants at 2,000,000. What was the date of that pamphlet? Not 1847, but 1842, five years ago. Such was the habitual state of that unhappy portion of the empire, for there had been no particular pressure in that year. They were sallying forth on an expedition to feed a country which was habitually in this unhappy state. Its mendicants numbered 2,000,000; he would not overstate the case—he was satisfied with that number—they would find the workhouse test inapplicable to Ireland; in order to house 2,000,000 of paupers they must have 3,000 workhouses; that was perfectly out of the question; what would be the consequence? The moment there were more persons claiming to enter the house than the house would hold, out-door relief became the law of the land. The Commissioners must issue an order to the guardians to furnish two months' out-door relief. If the guardians did not take care that the house was filled to overflowing, the 2,000,000 would; they would take care to go and demand entrance, and all the more when it was found that the house would not hold them; and then, if there was one more claiming admission than the house would hold, out must come the order for out-door relief; and this they would do again and again until out-door relief became a part of the ordinary law of the land. The industry of the Irish people was not very exemplary; but the mere prospect of out-door relief would be enough to induce to walk to the workhouse, and overwhelm the guardians, a greater number than it would hold. He had said he could not trust the Irish authorities with the execution of this law; in proof of that position he would remind the House of the correspondence respecting Captain Wynne and the Members for Clare. When they saw respectable Members of Parliament charged with quartering on the highways their own voters at elections, and their own comfortable tenants, as stated by Captain Gordon and Captain Wynne, how could they be quite sure that the functions of poor-law guardians would be much more fairly, strictly, or disinterestedly exercised? He would remind them of the class of persons that would require relief. They were the peasants—they were in their nature a joyous and gay and clever people as could be—they were a warm-hearted and innocent-minded people, and a charitable and humanely-disposed people;—there was no character could be more amiable than that of the Irish peasant. And there was another circumstance that increased his admiration of them. Notwithstanding their distress in Liverpool and Manchester, and that they had come over there in thousands, there had been no increase of offences, there had been no disorders or tumults—there had been no breaches of the peace—there had been no increase of common offences—of pilfering and stealing—in consequence of that increased multitude of houseless, homeless Irish that were flocking to their shores. But, on the other hand, he must admit that, with all his admiration of the good qualities and character of the Irish, and their humane and charitable disposition, he must say he thought there was one vice in their character, which was that of improvidence and dislike to continue at hard work; and they were the last people in the world to be entrusted with a provision of the nature of this poor law. It had proved to be bad in England, and it was proving to be bad in Scotland, with all the prudence, pride, and independent spirit of the Scotch; and it might be more fatal to the welfare and industrious habits of the Irish people. In their own country, when they were not at work, they were not so peaceable as in this country; they were excitable, easily incited to tumult, and did not much mind how far they broke the Queen's peace. There were not persons, it appeared, wanting to incite them on. The correspondence to which he had referred, proved that they were hallooed on to acts of tumult against a road inspector, because in the discharge of a painful duty he refused to put improper persons on the roads. It was an awful experiment they were about to make, and had this additional feature, that it was not experimental but final, until such results had arisen from it as were frightful to contemplate. He could not enter into the large subject of the poor law, upon its tendency to destroy all feelings of kindness between the upper and lower classes, its tendency to make that which ought to be a charity deemed a right, or its tendency to make the pauper call himself, and act as if he believed himself, the prior mortgagee on the land of the country; that feeling went to sap the very foundation of society, by shaking the corner-stone of the social system, the sacredness of property itself. It mattered not whether that was done at once, *per saltum*, or was gradually eaten down and worked into by a perpetual canker. The tendency of the system was to diminish the stimulus to exertion even in an industrious people; it had an equal tendency to substitute improvidence and want of circumspection even in a prudent and naturally provident people like the Scotch, and to put an end to that spirit of independence which alone made men worthy to be called by the name of men. When the noble Earl told them to look back on the glory and the fame of England, asserting that its great wealth, glory, and fame, had been achieved since the Poor Law of Elizabeth, and therefore he supposed in consequence of it, did they not know that the law of Elizabeth was for a century a dead letter, and that out-door relief was hardly ever administered? Then came the Acts of Charles II. and William III., which led to the abuses which were corrected by the 9th of George I., which was the first Act which really applied to the workhouse test. Then followed the 35th Geo. III., and the 40th and 41st Geo. III. There were two seasons of great scarcity, and under the pressure of that scarcity Mr. Pitt unhappily lent himself to bringing in those two measures; and since that they were going down the hill at the greatest speed that was possible for national economy to go down the hill. The character of the peasant, the relation between the peasant and the landlord, the character of the country, and the state of the land revenue of the country, were going at such a frightful race to ruin, that at length it became necessary in the year 1834, to pass an important Act for retracing their steps; and that they could not easily retrace them was an illustration of the evils of going one step too far in a wrong direction. He really looked with great consternation at this measure; it was against all principle; he was certain, pass it when they would, and execute it how they would, a supplemental power would be absolutely necessary to enable them to levy the rates, and other restrictions would be necessary that those rates should be with ordinary safety administered. Whether the relief was given in money or in food, made absolutely no difference with regard to the inevitable effect of a poor law—its inevitable effect would be to lower the rate of wages, as the experience of this country too fearfully showed. Then, as regarded the convenience of Government, or the sound principle of Government not taking upon itself what it could not manage; why, to feed 2,000,000 of paupers, the Government must become great provision merchants, as well as great employers of the poor. But it was said, they were only to be fed if they found work for them; but it would be impossible to get work for them, for if they came on their hands the reason was there was not work for them; and if there was any work for them, they would not come within the description of persons requiring relief. For the reasons which he had mentioned, and which he certainly should not have stated at such length if he had not found they were not sufficiently attended to in that House or elsewhere (he alluded to a statement which he had made at the beginning of the Session), he called upon them only to do what the absolute necessity of the present emergency required, and no more, and to defer until a more favourable opportunity the passing of some Bill (if some Bill were necessary) for the permanent arrangement of the poor law in Ireland. If they did not adopt this suggestion, he feared that they would have painful reflections some few years hence, and that then they would wish they had postponed it. They would not find it an easy matter to wean those hundreds and thousands of people who were taught to look for support out of other funds than their own—they would not find it an easy matter to wean them from the habit they had got into of looking away from themselves, and trusting to other hands to feed them. They would find it no easy matter to wean them back, even if they did not pass this measure. But if they did, and told him one of their reasons was, that they did not know how to dispose of those hundreds of thousands, his argument was more strong against such interference, and made him regret still more the pernicious course which (with the best possible intention, he admitted) they were pursuing. He should refrain from bearing his testimony to the excellent conduct of the people of this country, the admirable humanity they had shown, and the way in which that feeling was represented. Whatever might be the representation of their feelings in other respects on this subject, their feelings were admirably represented in the House of Commons. He asked, was this the time, when so much excitement was produced, to propose so great a change of policy? They were now taking it up at the end of a Parliament; and in some measure, he believed, in apprehension that the cry raised out of doors, by the whole people of England, in favour of a poor law for Ireland, would be echoed at the hustings. That apprehension should be kept in view, and should form an additional reason against bringing forward a measure such as this at the end of the Session. He by no means intended to blame the people of this country for calling for an Irish Poor Law. They had been driven to it by two circumstances —by the vast number of Irish coming over here, which was a tangible fact that struck all men's imaginations, when they found that about 80,000 persons, in the course of a few months, added to the poor of Liverpool and Manchester, and spreading over the neighbouring districts—that struck all men's imaginations: they said it never would do for the English to have a poor law, and that Ireland should have none, whereby the Irish paupers came over to feed on the English rates. And the other circumstance was, that the people of England were not satisfied with the manner in which the Irish landlords were performing their duties on the present occasion. And so it always happened, that the exception has been taken for the rule; and persons having been selected out as behaving ill, it was said that every landlord acted improperly. The feeling was prevalent throughout England that an Irish Poor Law would meet the evil; but he (Lord Brougham) did not partake of that feeling, and he thought it his duty, not with a view to seek popularity, but, on higher grounds and from purer motives, to state his opinion.

The Archbishop of DUBLIN:* Although your Lordships have been already addressed by far more practised debaters and abler speakers than myself, yet I feel myself called on not to give a silent vote on this occasion, on account of the peculiar connexion I have had with the subject now under discussion—a connexion not courted by myself, but I may say in a manner forced upon me by the public voice. I was, as your Lordships will recollect, one of the Commissioners appointed several years ago for inquiring into the condition of the Irish poor. I was appointed to that office not at my own desire, but purely by the spontaneous selection of the then Government of the country. That Ministry may, perhaps, have considered that the experience I had had in England, as one of the governors of a poor-law union, might in some degree qualify me for inquiries of that kind. But whatever qualifications they may have expected, or may have found in me, they certainly did me no more than justice if they believed that I would devote mysely most heartily and zealously to the business of that inquiry. It is not for me to eulogise or to vindicate the members of that Commission. That is rather the part of the Ministry which appointed them. But this at least I may be permitted to say, that a body of Commissioners could not have been selected less likely to agree in any one erroneous view than those who were appointed. If your Lordships look to the names signed to our report, you will find Roman Catholics, and Protestants of various denominations; Englishmen and Irishmen; clergy and laymen; lawyers, ministers of religion, and country gentlemen. They were as different from each other in the modes of their education, and in their subsequent habits of life, as any men could be; and they were likely, therefore, to differ in the prejudices and mistakes to which they might be liable. It was most improbable, I repeat, that we should concur in any one erroneous notion. Yet all of us whose names appear appended to that report, fully agreed in deprecating such a system of poor laws for Ireland as was subsequently introduced into that country. A difference of opinion existed between Ministers and the Commissioners, as to the recommendations of our report. This was not perhaps to be wondered at: for of all questions that ever were debated by man, those relating to a poor law are precisely the very class on which we may anticipate the greatest amount of difference of opinion between one who has devoted a considerable share of attention to the subject, and one who has studied it much more attentively, and made much fuller inquiries. There is no subject on which first impressions are so likely to be corrected or modified by further investigations, and more mature reflection. Mr. Nicholls, who was subsequently employed by Government to make a new inquiry, and whose report was adopted and acted on, had devoted to that inquiry some considerable time; namely, about half as many days as the previous Commission had weeks. He came to very different conclusions from theirs; but he fully concurred with them, and so did the then Ministry, in decidedly deprecating any system of outdoor relief to the able-bodied. As to the poor law then introduced, and now existing in Ireland, there was some difference of opinion among the Irish. A few approved of it; a very large majority of all classes and descriptions were adverse to it. But all agreed in deprecating the introduction of a system of relief out of the workhouse. Those who hoped favourably of the law, founded their hopes on the complete and permanent exclusion of out-door relief. That system they all concurred in regarding as ruinous to all parties, as a measure amounting to confiscation: and the same sentiment was expressed, not long since, in the very same language (as appears by the reports of the debate) by a leading Member of the present Administration. Those, on the other hand, who dreaded the effects of the poor law—that large majority, of whom I was one—regarded as one of the principal objections to it, the danger of its leading to that result—the out-door relief of the able-bodied. The experiment of introducing a poor law such as now exists, I regarded all along as a most hazardous one. I never expected that law to produce the beneficial effects anticipated by many; and subsequent experience has confirmed my opinion; but the greatest apprehension of all that I felt was, that its inadequacy to the desired object being proved by experience, a remedy would be sought in such an amendment of the law as is now before the other House. The noble Lord who has lately addressed you on behalf of Her Majesty's Government, was remarking that the workhouses have not afforded so great an amount of relief as had been expected. Till lately, a large proportion of them have been nearly empty, and many others only half filled. But in truth it was the extreme reluctance of the poor to enter the workhouse, that has hitherto been the pricipal preservative of Ireland from utter ruin. For it could never be expected that there should be just such an amount of able-bodied paupers applying for relief as would exactly fill the workhouses, and that the application would then stop. What I always dreaded, from the very first, was, that when the workhouses should be filled, there would be a clamour for out-door relief; just such as has now arisen. This was to be expected, under the pressure of a period of severe distress; such as (in a minor degree) has been again and again experienced. And here I may be permitted to advert (though reluctant to dwell on my own proceedings) to the watchful care with which I have endeavoured, in my own neighbourhood, to make the best of the existing law. I felt myself called on to assist—of late, almost to maintain—a large proportion of the inhabitants of a populous village where I reside, near Dublin. I have always made it a point to encourage the people to exertion and to self-reliance, and to cherish, in all except the infirm and helpless, the aversion felt to the workhouse. I have always endeavoured to put the able-bodied in a way to find employment, by which they might feel that they were earning their own subsistence. I left nothing undone to keep up their disinclination to enter the workhouse; because it appeared clear to me, that if once this disinclination were generally overcome, the multitude of distressed poor, great even in ordinary times, but in seasons of scarcity most deplorable, would swamp the workhouse system altogether, and call forth the present disastrous proposal of domiciliary relief. Such being my views, I was accustomed to employ labourers on my own grounds beyond the number that were actually wanted, or that could bring in a profitable return; but always on the understanding that they were to do a real day's work for their wages, and that otherwise they would be discharged. I was led subsequently to employ in this manner a greater number than formerly, because some persons in the neighbourhood who had been accustomed to provide employment for a part of the able-bodied poor during the most trying seasons of the year, now, being burdened with the poor rate, refused this aid, and referred all applicants to the workhouse. But to me nothing appeared so dangerous as to overcome their aversion to the workhouse. I was anxious to keep up in them the feeling of labourers earning—or at least believing that they were earning—their own bread, instead of being paupers maintained by the rates. Accordingly, I did not give large wages; both because I preferred employing a greater number at moderate wages; and still more, because I was anxious not to disgust them with the rate of wages, necessarily low, which the neighbouring farmers could afford; and thus to draw them off from profitable employment. But the situation of men thus labouring under an employer who engages them of his own free choice, and who may discharge them if they neglect their work—this situation would be totally changed, if they were paupers legally entitled to relief, working under an overseer, who is to compel them to perform their tasks. If any one holding such an office, were, in the discharge of his duty, to enforce resolutely a satisfactory amount of labour, I do not believe that his life would be safe for a day. Not only would a great proportion of these pauper labourers refuse to do any reasonable amount of work themselves, but they would not even permit others, who might be so disposed, to do a fair day's work. Some persons have spoken of the proposed measure as likely to lead to, or to be accompanied by, "a system of well-directed labour." But I do not hesitate to say, that nothing more chimerical than such an expectation ever entered the mind of man. The labour exacted of the paupers will not only not be "well directed" in the sense of being profitable labour, but it will not even be well directed, so far as to be an adequate test of destitution. An Irish labourer has been accustomed, unhappily, to work for a very small pittance, and to be content with the bare necessaries of life, and to be, as it were, always on the brink of ruin. This is a deplorable condition at the best; but if you give him a legal right to support, independently of industry and good behaviour—if, in return for such nominal work as he will do under an overseer, you give him that bare subsistence (and less you cannot give) which he has been accustomed to be contented with—you ruin his industry and independence of character for ever, and sink him, permanently, into the lowest degradation, physical and moral. Even to the English labourer it is very injurious to be reduced to the condition of a pauper. But the case of the English labourer is far different from that of the Irish, and far more favourable. He is, for the most part, accustomed to something beyond the mere necessaries of life —accustomed to many of its comforts, and some humble luxuries—accustomed to see his family decently clad, and to live in such a cottage, and with such furniture, as exceed the Irish labourer's almost as much as they fall short of the accommodations of the gentry. A man so circumstanced may be one on whom you may make with safety the experiment of affording him, during a time of severe pressure, a bare subsistence in exchange for labour little more than nominal. It may be hoped that he will not yield to the temptation of sloth, but will embrace the very earliest opportunity of returning to real vigorous labour, in order that he may return to that more comfortable style of living he has been used to. But not so with the Irish labourer. Inured to hardship—accustomed from his earliest days to privation, the proffer of that bare subsistence which he has been used to be content with as the reward of his industry, and not always to be obtained, even so—the proffer, I say, of this, legally secured to him, in return for a mere pretence of work, will be so great a boon, that you must expect it to attract not only the superabundant, but almost the whole labouring population; and that they will be, not a temporary, but a permanent and a perpetually increasing burden on the resources of the country. It will be utterly vain for you to enact that the claimants of relief shall be compelled to do a full and fair day's work in return for a day's support. The rule may be laid down; but it cannot be enforced. The greater part of them will determine neither to work hard, nor to allow any of their companions to do so. And nearly the whole of the Irish poor will rush to this so-called labour, and throw themselves upon the poor rates, leaving the land untilled. At no distant period, you will have a pauper population in Ireland, amounting not to a million and a half, or two millions, but to three, four, or five millions; while farms are lying as desolate as the deserts of Arabia. You will have a continually increasing demand upon supplies continually diminishing. It is not from a special regard for Irish landlords—it is not from a wish merely to spare them from a confiscation of property—that I deprecate this measure. I am prompted to do so yet more by my regard for the people. These will be thrown into a state of far greater destitution than ever, when the entire rental of Ireland shall have been swallowed up by the poor rates, as was the case with the parish of Cholesbury in England, where no one would undertake to occupy the land, rent free, burdened with the payment of the rates; and where, consequently, the whole was left uncultivated, and the paupers were maintained by rates in aid, levied in the adjoining parishes. Of the first rate that will be levied in Ireland, under the proposed system, half, or perhaps two-thirds, will be collected. Then there will be a second and a heavier rate levied, to meet both the subsequent expenditure and also the arrears; of the second rate a smaller proportion will be collected; of the third rate, probably nothing will be collected. That such will be the course things may be expected to take, under the proposed poor law, abundant evidence, I am confident, would be produced, if the Motion for a Committee of Inquiry should be acceded to. When then we shall have reached this point, there will be no resource left but to appeal to Government, in each case, for a rate in aid; first, from the neighbouring districts, and ultimately, when these also are exhausted (as they soon must be), from the funds of the united empire. For, as in the case of a commercial bankruptcy, the failure of one house causes the failure of several others connected with it, and these again bring ruin on others connected with them; so, in this case, the insolvency of one district will lead to the insolvency of another and another. The ruin will spread like a conflagration through the whole of Ireland; till at length the united empire will be called on to meet the evil, after an incalculable amount of additional misery has been endured, and at a cost far greater than that which the people of England have been so impatient of bearing, and the desire of escaping which has chiefly occasioned the popular clamour for the measure now proposed. I do not wonder that the people of England are weary of being called on to relieve Irish destitution, and of being burdened with a heavy expenditure for Ireland. I do not wonder that they should wish that the land of Ireland should support the Irish poor. And I do not wonder that those who are as ill informed as most are, of the facts of the case, and in many points misinformed also, and who have inquired little, and reflected little, on the subject, should imagine that nothing more is needed than to pass a law which shall make the landlords support all the poor. I heartily wish that this were possible. I should rejoice to see the land of Ireland supporting in plenty the whole population, without debasing permanently the character of the peasantry, even though this should be effected at the cost of reducing all the landowners to poverty. But this cannot be. In the first place, it is physically impossible. It may seem almost ridiculous to speak of a physical impossibility as one among the objections to any proposal. But in truth, in the present case, it is only one out of several; others of which would operate, even if that impossibility could be removed. Supposing even that no deterioration of character—no discouragement of industry—were to result from the proposed measure, even so, the actual amount of destitution is such (as might be easily established by numerical demonstration before a Committee of Inquiry), that the whole rental of Ireland would be insufficient to relieve it; and the land would consequently be soon thrown out of cultivation for want of occupiers, even if offered rent-free. A very large and very poor population has hitherto been scantily subsisted on the coarsest and most abundant kind of product that the earth could be brought to yield. A great failure in that kind of product has reduced a large proportion of them to destitution. Can we, by an Act of Parliament, make the land support, on a less abundant kind of product, the same population? Can we decree that a portion of that product—the portion which has hitherto formed the landlord's rent—shall supply all deficiencies? These considerations would alone be decisive of the physical impossibility of what is proposed to be attempted; even supposing that the now surplus population were alone to be thrown upon the poor rate; that no deterioration in the habits of the rest were to take place. But in addition to this, we have every reason to expect that the pauperizing effect of such a law would be much more extensive; that the industry of the people would be greatly diminished by the promise of subsistence independently of industry; and that, consequently, the cultivation of the land, and its productiveness, would be greatly impaired. And thus the existing distress would not only be perpetuated, but would go on indefinitely increasing. Far better would it be, that Government should at once avowedly confiscate—confiscate, without first destroying—all the land of Ireland, and take possession of it; granting the owners, for the rest of their lives, as much as might be thought a reasonable allowance for an Irish proprietor. The land would then have been forfeited before it had become desolate for want of cultivation. But if Government should thereupon undertake, as proprietor of those lands, to maintain all applicants without limit, and employ them as paupers, in compulsory labour, it would soon find the lands to be a "*damnosa possessio,*" a property bringing with it incalculably more expense than profit. Under such a system, both the debasement of the character of the people, and the burden of supporting them, have a tendency to go on continually increasing to an indefinite extent. We have, on this point, the lessons of experience to guide us. We know to what an alarming state the English Poor Law had brought us, when the continual and rapid increase of its evils, physical and moral, alarmed us into a vigorous measure of reform. Now, if England is the "green tree," Ireland will be "the dry." Reference has been made to the high authority of Mr. Senior, who declared, when examined, his conviction that "the mischiefs which it had taken three centuries to bring about in England, would, in Ireland, be effected in ten years." I myself believe he might safely have said, "ten months." Every disadvantage — every conceivable circumstance that can make such an experiment doubly hazardous—all is to be encountered, in the greatest degree, in Ireland. To advert to only one of those circumstances—the character of the persons themselves who are to be the recipients of relief; it is admitted by all—even those who estimate the most highly the good qualities which certainly are possessed by the Irish people—that they are improvident to a greater degree than most others, and remarkably prone to throw aside self-dependence when they have a promise, or a hope of support from without, from a liberal patron, from Government, from a parochial, or any other institution. I will mention one instance which came under my own knowledge, as illustrating in a remarkable manner this readiness to throw themselves entirely on any resource that may be provided for them, and to lay aside, in their dependence on this, all forethought and all exertion. A number of fishermen, resident near the Cove of Cork, were accustomed, till of late, to take large quantities of fish, on certain banks ten or twenty miles out at sea. These men have latterly been living at home idle, or nearly so (taking only occasionally a few fish close to the shore), and with their families in great destitution. Their case was brought under my notice by a clergyman in the neighbourhood, with whom, as well as with one of the principal landed proprietors, I am well acquainted. It appeared that these poor men were unable to victual their boats for the voyage, as was requisite when they went so far from land. It occurred to me that an effectual and permanent relief might be afforded them, by fitting them out, once, for the fishery they had been accustomed to; giving them to understand that they must not look for further assistance, but, by the sale of the fish they should take, must provide for each future trip, as they had been used to do. I proposed, therefore, to provide food, and also fishing-tackle, for such as were insufficiently supplied with it. And I trusted that in this way they would be enabled not only to maintain their families in comfort, but also to be the means of bringing a considerable supply of food into the country. But the friends above alluded to, after the most careful inquiry, were compelled to come to the mortifying conclusion that no permanent relief could in this way be afforded. The fishermen would, they were convinced, consume at home the provisions that might be supplied to them, instead of going out to the fishing-banks, and then trust for the future support of their families to the soup-kitchens, and other such establishments, which had hitherto supplied them with a scanty pittance. Even if induced actually to embark with the food on board, they would, my informants fully believed, re-land it in the night, and consume it in idleness at home. In short, having been once used to depend on anything besides their own exertions, they could not be trusted even with a loaf of bread, but abandoned exertion altogether. Many other instances might be given to show how much even charitable relief tends, unless distributed with the most vigilant care and discretion, to paralyse industry, and destroy habits of forethought and self-reliance. But make relief compulsory—give men a legal right to outdoor relief, and they will, to a man, be thrown into a state of destitution. Give them relief in return for compulsory work when they are out of employment, and men will be out of employment to the amount of the entire labouring population. Millions of them will be thrown on the resources of this country; and, in one year, the entire rental of Ireland will be swallowed up, and the pressure upon the people of England will be more severely felt than ever. The present time is one of severe distress, and one in which sacrifices must be made, as well as distress endured; but for this very reason, I maintain, that a worse time for making such an experiment could not possibly be selected. When the workhouses were some of them nearly empty, and some of them only partially filled, if this Bill for the extension of out-door relief had been then passed, on the understanding that it was to come into operation when the workhouses should be filled, there would, perhaps, have been something in it to recommend it, or, at least, to mitigate its evils; though, for my own part, I confess I should greatly deprecate it under any circumstances. There would have been, however, some protection. The ditch would have to be filled before the fortress could be assailed; that is, a great many persons would have to submit to enter the workhouse before any out-door relief could be obtained. But when the measure is introduced at such a moment as the present, when the workhouses are already crowded, there is no ditch to fill, and we are left completely at the mercy of a law which will at once subvert the whole social arrangements of the country. The out-door system, as contemplated by Her Majesty's Government, must come at once into operation. But something, after all, it is urged, must be done for Ireland; and the question is, what can you recommend? I will tell you what I recommend—I simply recommend inquiry. I recommend you not to take a leap in the dark. I would implore your Lordships to accede to this application for a Committee of Inquiry, and not to shut your eyes to the real circumstances of your situation; unless, indeed, it be that you are conscious that the matter is one which will not stand inquiry. Those who think that the measure can be supported upon good grounds, should court inquiry; and those who hold a different opinion, should be permitted the privilege, that they may have an opportunity of proving that their views are just and reasonable. I recommend inquiry, therefore; and that we should have an opportunity of considering whether any measure may be devised for the Irish people less liable to objection than this. For my own part, I hesitate not to express it as my conviction that the experiment will prove the most fatal ever tried. It is not an experiment which you can try, and then give over, if you do not find the results satisfactory. It is one from which there is no retreating; and therefore one which should not be taken except under the pressure of extreme necessity, and with the most cautious deliberation. Even if more beneficial results were to be expected from it for the mitigation of present distress, than can be fairly anticipated, the experiment is one of the most tremendous importance: and you should not commit yourselves to it unless after the most careful and deliberate consideration. For these reasons I would implore your Lordships to pause before you fling yourselves into this *facilis descensus*, from which there is no retreating. Give a right of out-door to every destitute able-bodied man out of employment, and every poor man will throw himself out of employment, and thus acquire a legal qualification to relief—a relief which before long it will be found impossible to afford, and yet most unsafe to refuse. For the disastrous consequences of the measure will not stop after all the rental of Ireland has been swallowed up. You will have a *Jacquerie* insurrection; you will have outrages and turbulent risings of the Irish people; and with shame and sorrow you will have to retrace your steps at the expense of more misery and cost than you are seeking, by the enactment of this most perilous measure, to avoid. But, at any rate, do not shrink from inquiry; do not refuse to listen to evidence, if it be but to guard against the reproach of proceeding inconsiderately; of adopting a measure which is by most persons regarded as at least hazardous, and which none can deny to be unprecedented and highly important, without the utmost precaution and the most dispassionate investigation.

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* From a pamphlet published by Fellowes.

The EARL of DEVON did not entertain the doubts which the noble Earl (Earl Grey) did as to the object of his noble Friend (Lord Monteagle) in making the Motion. His object in submitting the Motion was, to enable him to make the very able and eloquent speech which he had done, and to induce their Lordships to express, by anticipation, their opinion on the measure likely to come before them. It was his misfortune to differ on this occasion, not only with his noble Friend who had brought forward the Motion, but with a large portion of the noble Lords who were connected with Ireland, who undoubtedly understood the subject as well, if not better, than himself. It was his fate, when the Irish Poor Law Bill was introduced, to be placed in a similar position; but he must say, that, after all he had read and heard, and the experience he had since acquired on the subject, he could not bring himself to think that they could be justified in refusing to give to their Irish fellow-countrymen that species of provision for relief which they gave to the poor of England. It was impossible to look upon the present as a single or isolated measure. Their Lordships must look at it as one of a series propounded by Her Majesty's Ministers for the relief of Ireland under existing circumstances. But he begged their Lordships not to suppose that when he used that expression he referred merely to the distress in which, by the visitation of Providence, that country had been placed during the present year: when he spoke of the circumstances of Ireland, he meant the circumstances of her social system, which had grown up during the last fifty or sixty years, which had existed before the recent failure of the potato crop, and would continue to exist after it should please Providence to release Ireland from her present pressure. It was undoubtedly the failure of the potato crop which had been the cause of the present great distress; but the cause of Ireland's misery lay much deeper than the failure of the potato crop. Of all the measures which had been devised for the relief of Ireland, he believed that the extension of the poor law was one of the most indispensable, and that, taking this measure in combination with other measures of the present Government, it was a measure, not only of justice, but of policy, and well calculated to promote the regeneration of Ireland. The noble Lord (Lord Monteagle) had spoken as if out-door relief were the main object and principle of the Bill which was likely to come before their Lordships, and as if the whole population were to come under its provision. The noble Lord seemed to have overlooked all possibility of exertions on the part of the landowners and land-occupiers to find employment for the people. The noble Lord and the right rev. Prelate had both proceeded on the assumption that every person able to work would throw themselves on the rate, and would claim out-door relief. He (the Earl of Devon) knew the great difficulties with which the question was surrounded. To these no man could shut his eyes; and it was not to be supposed that those who recommended the measure were blind to them. But there was a circumstance which had occurred during the debate which was worthy of notice—not one of those noble Lords who disapproved of the principle of out-door relief, had ventured to make a suggestion as to the measure they would recommend, not for the present distress, but for the permanent amelioration of the social state of Ireland. He had collected from the speeches delivered, that objection was made to the principle in question because it was deemed more just and sound that the Irish labourer should rely on his own resources; and they went upon the assumption, of course, that, if he did exert himself, he would be able to save himself from the destitution which it was proposed to save him by the measure now proposed. Now, could any one acquainted with Ireland really believe, that, with the proportion which labour now bore to the extent of the country—with the proportion which the supply of labour bore to the demand—the utmost exertion on the part of the labourers, either now or for many years to come, would be able to find for themselves remunerative labour? He the (Earl of Devon) could not bring himself to think so. One great benefit of this measure would be, that the landlords would be driven by it to make exertions for the employment of the labourers—and that they would do so he firmly believed—and as to that class, he must say, that the present generation had, in general, done their duty, and were doing their duty; but of them it might be said, *Delicta majorum immeritus lues.* It had been assumed that the workhouses would be soon filled by the able-bodied poor, and that there would be a large surplus requiring out-door relief. It was the duty of all connected with the land to do their utmost to give employment; and unless the landlords were wanting to themselves, the effort would be made. As the law now stood, the poor-law guardians were authorized to provide additional workhouse room wherever it was wanted; and the ratepayers would be neglecting their own interest if they did not see that workhouse accommodation was provided sufficiently ample to enable the guardians to test, in combination with work, the fitness of those able-bodied persons who applied for relief, to be relieved. The noble Earl then referred to the recommendations which had been given in some of the reports presented on the subject of Ireland, and showed that many of them had been attended to and carried into effect. He supported this measure of Her Majesty's Government as one of a series of measures which they had introduced for the improvement of the country. As far as individuals were concerned, he knew that many of them would suffer, and most undeservedly; but the State had a right to look at the subject with a different eye: the State and the public had a right to see whether or not the land did its duty, and if it did not, to take steps which would enable those who possessed the land to fulfil the obligations which belonged to them, or to part with the land if they could not.

The MARQUESS of CLANRICARDE agreed so cordially with the sentiments of his noble Friend who had just sat down, that he should not have considered it necessary to trouble their Lordships on this occasion if it had not been repeated more than once, that Her Majesty's Government had been acting under some extraordinary pressure, arising either from the misfortunes of the country, or from some other less creditable cause, and had brought forward the measure which was now before the other House of Parliament without due deliberation. Now, he would undertake to say, that nothing could be less founded than this assumption. His noble and learned Friend (Lord Brougham), who had spoken some time before, and who, as was his "custom of an afternoon," after he had spoken, had left the House—[*Lord Brougham came from behind the Throne*]—His noble and learned Friend he saw had returned to his place; but he feared that anything he might say would not induce his noble and learned Friend to change his opinion, or to give the Government the benefit of his vote. But his noble and learned Friend had stated that the Government was acting under a pressure.

Lord BROUGHAM: I said, not that the Government was acting under a pressure, but that men were voting for it under pressure.

The Marquess of CLANRICARDE: Yes, and his noble and learned Friend had founded an amusing argument upon the unanimity displayed on this subject in another place. He said, that of a House of 658 Members, only 36 voted against this principle; and that, said his noble and learned Friend, proved compulsion on the part of those who voted. He was inclined to draw a different conclusion. If, indeed, the House of Commons had been much divided in opinion, that might be a reason for caution; but when there was so much unanimity, it showed that the public mind was made up. For himself, he was ready to admit that he had not originally been in favour of the present poor law. He was rather inclined to agree with the most rev. Prelate who had spoken in this debate, and who had recommended the adoption of the Scotch in preference to the English system of the Poor Law. But Parliament had adopted the system of the English Poor Law, and it had now been in operation for ten years—it was part and parcel of the law of the land; and he said, that having gone so far, Parliament could not stop there; if there were 2,000,000 paupers in Ireland, Parliament could not, consistently with its duty, allow such a mass of pauperism to exist, without endeavouring to apply a remedy; they must now determine to give a really efficient poor law to Ireland. The more they improved the property of Ireland, the greater was the necessity for their taking this step. It was plain that most of the noble Lords who supported the Motion, had not read the Bill. It was plain, for instance, that the most rev. Prelate had not seen it; for he talked all through of the right to relief. He and other noble Lords had talked of the right to out-door relief. The noble and learned Lord had warned them against adopting the principle of this Bill, because, he said, if they once took a step in advance, they could never afterwards make a step in retrogression. But his noble and learned Friend forgot that the Act of 1834, in which he himself took a conspicuous part, was a great retrogression—an immense lowering of the rates.

Lord BROUGHAM: I said we would not make a retrogression, except at a great crisis.

The Marquess of CLANRICARDE: But the year 1834 was not a time of great crisis; they were not in half the danger then that Ireland was in now. It was a monstrous exaggeration of the Bill to say that the permanent and ordinary operation of this Bill was to give the able-bodied a right to out-door relief on a large scale. That certainly was not the object of the measure. And as to the dangers to be apprehended from the amount of destitution in Ireland, he certainly did not think that was any argument against the measure. It had been said that there were two millions of paupers in Ireland. Supposing this to be true, how, he asked, were these paupers supported now? Were they not living upon the property of the country?

The Earl of MOUNTCASHELL: They are living upon English capital just now.

The Marquess of CLANRICARDE: Yes, but his noble Friend seemed to forget that the half of that must be paid back again. They were living, not perhaps as they ought to be, upon the capital of the rich, but they were certainly living upon the capital of the poor. The operation of this Bill, therefore, would not introduce any new burden, but would rather place the existing burden where it ought to be. Therefore, in point of fact, all the objections to this measure resolved themselves into this, that the law would not be properly administered. Of course, its operation was surrounded with many perils; but he thought that when their Lordships saw the Bill, and the checks and precautions that were taken to prevent abuse, they would see that every precaution which could be suggested had been had recourse to. But they could not conceal from themselves—and particularly there ought to be no delusion on the subject in Ireland—that the working of this measure for good or for evil, depended mainly upon the people themselves. If the different classes of the people would not combine and co-operate together for their mutual good, there could be no doubt that by badly working this Bill, they would hasten on that ruin which, whether this measure were carried or not, must in that case come upon them. But he had a higher opinion of his countrymen than to suppose that that would be the case; and he had the satisfaction to find that the people had co-operated together under the existing law to a far greater extent than he had before expected. True, that was not the case in all parts of the country, but it must take place now. It would not be doubted that this measure was, at least, more safe than to leave the country in its present state. He had only further to express his hope that his noble Friend would not press this Motion to a division.

EARL FITZWILLIAM supported the Motion. If the Motion had been for a Committee of the extended kind which had been supposed by the right rev. Prelate, to summon evidence from all parts of England and Ireland, then he should be of opinion that at this stage of the Bill the appointment of such a Committee would not have been advisable. But the Motion was merely for the appointment of a Committee to bring, in a condensed form, before the House the solemnly recorded opinions of the Committees and Royal Commissions which had investigated this subject. It was proposed to bring forward, in a condensed form, those opinions, which he very much doubted whether half a dozen out of sixty or seventy Peers present would seek for themselves in the folios which were upon the shelves of their library. When the new Poor Law for Ireland passed, he had been struck with some surprise that the course of their legislation should have been in a direction so entirely different from that they had followed in England. As far as his own experience went in Ireland, the law had not been attended with so much evil as he anticipated. It seemed it was only intended as a prelude to something further; for his noble Friend now said the Bill at present before Parliament was a necessary corollary from the law passed several years ago. He wanted to know when the corollary of the present measure would come? It seemed that those who had introduced it were afraid of their own measure, for they heard of many guards by which it was fenced round. First, they were told that it was an unfounded charge that this measure introduced out-door relief, for that it would not be granted except when the workhouses were full; but when the Poor Law Amendment Act for England passed, Parliament was told there was to be hardly any relief except in the workhouses; and that rule had been relaxed, necessarily relaxed, for the strict principle could not be adhered to. Was there any man who now heard him who believed that relief in Ireland would be restricted to relief granted in the workhouses? He did not believe it; nor did he suppose the authors of this measure believed it, and that on account of the "guards" they had introduced in it. If they really anticipated the possibility of confining relief to those in the workhouses, where would be the necessity of those "guards?" The first guard was that no out-door relief was to be administered except in food. He should like to see the relieving officer climbing up the sides of a mountain to the scattered cabins, or trudging on the edge of a bog. How many days' purchase would be given for the life of a relieving officer under such circumstances? He feared that his noble Friend and his right hon. Friend in the other House were legislating on this subject with English opinions and feelings exclusively, and English information, or rather misinformation, regarding the condition of Ireland. No one believed it possible that out-door relief could be prevented except when it was in the form of food. But there were to be more "guards" introduced. The fear of this Bill having a confiscatory character had evidently begun to impress itself upon the authors of it. There was to be the guard, for instance, by which no man was to be entitled to relief who was in possession of a given portion of land, he believed half an acre; he wished to know how this clause was to be drawn up in a manner to be effective? He anticipated great evil from it; he saw the possibility of boards of guardians conniving at the possession of land by persons who would be otherwise desirous of abandoning their land and betaking themselves to a better occupation elsewhere.

Then came the last guard, that of requiring *ex-officio* guardians to be always equal in number to the elective guardians. This was one which, he believed, might be in some degree effective, but would be attended with very great evils in the administration of the law, and with very great social evils in Ireland. If the authors of this measure had found it necessary to introduce so many guards for the purpose of nullifying their own measure, it would have been much better if they had taken the advice of calm and sensible men from Ireland, who were for the most part averse to the measure. Let their Lordships figure to themselves what would be the condition of the country if this law had been long in existence. Was there any one who believed that the calamity would have been less fearful, that fewer lives would have been lost, or less suffering endured? If he could believe there would, he should have supported the measure; but even so, he thought it should be only temporary, and in the nature of an experiment. He thought it a most dangerous thing for Government to legislate permanently on this subject, when under the pressure of the feelings which were excited by the present state of Ireland. It was under the pressure of those feelings that Government and the other House of Parliament were acting, and he would conclude by hoping that their Lordships would adopt a more dispassionate view of the question.

The EARL of ST. GERMANS would offer but a few observations in support of his vote against the proposition of the noble Lord. He understood the interpretation put upon it by the most reverend Prelate to be repudiated, and that the noble Lord (Lord Monteagle) was, without any *arriere pensée* or intention of delay, simply desirous of submitting to their Lordships a digest of the opinions of previous Commissions and Committees. Still he should vote against the noble Lord's Motion. He did not think such a digest would be very serviceable to their Lordships; the reports in which those opinions were contained were accesible to all the Members of their Lordships' House; and they would not very materially assist their Lordships' consideration, and for this simple reason, that these investigations took place under a very different state of things. They were made before the passing of the present poor law, by which it had become clear that one of the first measures to which they must look as an infallible consequence of it, was a complete change in the present tenure of land in that country. There was then no failure in the potato crop; and he believed that if the Irish cottier had hitherto obtained sufficient to maintain life on an inferior quality of food, he could now no longer place reliance on his produce; and as a necessary consequence, he must become dependent, not on his small spot of ground, but on his labour. This was a totally different state of things from that with which previous Committees had to deal. He did not believe it impossible that profitable employment should be found for the peasantry; and certainly any stimulus that would induce landlords to find employment would do great good in that country. Another consideration was, that until you gave a right to relief, you could not do anything to repress that worst of all evils in Ireland, the system of vagrancy and medicancy. He regretted being called upon by anticipation to discuss a measure which was not on their Table, and would reserve his observations on its provisions until the proper time. The most reverend Prelate said he would propose nothing himself, but he said two millions of people were starving, and seemed to imagine that perhaps a Committee of Inquiry might suggest some better scheme than the Government measure. But whatever evils, miseries, or costs might be produced by its adoption, he would say they shrunk into insignificance when compared with those which resulted from leaving things in their present position. What was to be done with the mass of the wretched population? One noble Lord said they must have an Act for removing these unfortunates from their native land; and the noble and learned Lord seemed delighted with the suggestion. He (the Earl of St. Germans) did not think he should be justified in giving his support to any measure which would have the effect of postponing indefinitely a measure which he believed to be necessary.

The ARCHBISHOP of DUBLIN presumed he must have expressed himself incorrectly, probably through his little habitude of Parliamentary debate; he had no intention to propose a different sort of inquiry, but merely to support the Motion of the noble Lord (Lord Monteagle).

The EARL of ROSSE observed that though the reports which had been referred to might describe a different state of things, they had the considerable advantage of being drawn up at a period when there was no excitement; and he thought that those who drew them up must have at least had in contemplation the possibility of a similar occurrence to the famine of the present year. He did not think the Government had shown sufficient grounds for opposing the Motion. If a Committee were appointed, many documents would necessarily be printed, and thereby be rendered accessible to the public, who were, he believed, uninformed as to the leading features of this subject. No doubt, to a certain extent, by taxing property, pauperism might be relieved; but there was one limit to the amount of rate, which in Ireland would soon be attained, and that was the extent of land in cultivation, and it would be found that a much smaller rate than would be sufficient to throw the land out of cultivation in England, would have that effect in Ireland. A considerable portion of land in that country was uncultivated, and likely to remain so; and this circumstance would of course affect the amount of rate over the surface of the country. Both in and out of the House charges had been frequently made against the landed proprietors of Ireland. He had always understood it was the duty of Government, when charges were made against large classes of persons, and when it was possible to make a fair defence for them, to step forward and adopt a legitimate mode of defending them, such as would be afforded by this Committee. It so happened, however, that the Government were not about to try this experiment on Scotland, though it was much more suited for it than Ireland; and the only ground for this exception was, that the landed proprietors in Ireland had not done their duty as well as the landed proprietors of Scotland. If the Government, therefore, had defended the conduct of the Irish landlords, they would have cut the ground under their own feet; and in the absence of any aid from them, it behoved every person connected with property in the latter country to defend themselves. Whatever way they turned they would find this difficulty—the amount of rate was limited by the extent of cultivated land, so that it could not rise beyond a certain sum. If the workhouses were full, and the number of poor beyond the means of the rate, there would always remain an immense mass of destitution unprovided for. Instead of adopting such measures as those proposed by Government, it would be much better to arrange some system of colonization at once, because he was convinced that a certain portion of the expense of such a system would be repaid, and that it was the most safe, wholesome, and natural way of providing for the present difficulty; while it was evident that whatever was spent at home in giving relief to the destitute was completely lost and could not be repaid.

The Earl of MOUNTCASHELL briefly supported the Motion.

Lord MONTEAGLE shortly replied.

House divided on the original Motion:—Contents, 12; Not Contents, 39: Majority against the Motion, 27.

House adjourned.

The following Protests against the appointment of a Select Committee on the Irish Poor Law were entered on the Journals:—

Dissentient—

1. Because, when it is proposed to legislate in opposition to the principles which, during the last half century, have been uniformly admitted by all writers of eminence as well as by all Parliamentary authorities, the refusal of inquiry implies a most culpable rashness.

2. Because the proposed measure is confessedly one of vast importance to the permanent welfare and safety of a large portion of the empire. It is a measure which even its advocates admit to be a great and hazardous experiment, and which is regarded by many as involving nothing less than a general confiscation; and the adoption of such a measure appears to us to call for the most accurate previous examination of all such reports and public documents as may throw light on the subject, in order that the Legislature may stand clear of the charge of a reckless and wanton disregard of the rights and happiness of our fellow-subjects.

3. Because we feel convinced that the proposed inquiry would have elicited easily, in a short time and conclusively, solutions to the following three most important questions—solutions which ought to be brought fully before the minds of those who shall have to decide finally on the proposed alteration of the Poor Law:—1. Whether it be, or be not, physically impossible (even with the best dispositions in all the parties concerned) that it can at all effect the proposed relief; 2. Whether the attempt will, or will not, have the effect of ruining both the owners and occupiers of land, and putting an entire stop to cultivation; and, 3. Whether it will not by demoralising the mass of the people, and permanently destroying the habits of industry and self-dependence, increase to a frightful extent the amount of pauperism and crime in Ireland, and ultimately exhaust the resources and endanger the safety of the United Kingdom.

4. Because, when it is proposed, on a sudden, temporary, unusual, and alarming emergency, to introduce, not a merely temporary but a permanent legislative measure, and that too a measure which it will be peculiarly difficult and dangerous to repeal hereafter, it behoves the Legislature to examine with a doubly scrupulous and anxious care the grounds on which such a measure is recommended, and the consequences to which it may

lead, lest Parliament should incur merited reprobation as having augmented by such procedure the calamity which it is sought to remedy, and perpetuated and rendered incurable evils which would otherwise have only been temporary.

R. Dublin.
Monteagle.
Radnor.
MountCashell.

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1. Because the danger of permanent legislation under the pressure of a temporary emergency can only be averted or diminished by the most careful reference to past events, and that for such purpose a review of the evidence taken and the recommendations given under circumstances admitting the exercise of a calm, deliberate, and impartial judgment, becomes of the highest importance in guiding the deliberations of the Legislature.

2. Because the dangers of permanent legislation in a case like the present, when a great portion of the British empire is reduced to a state of unexampled destitution, are strikingly exemplified by the measures so unfortunately passed by Parliament, under circumstances strictly analogous, in 1795 and 1800—measures which produced calamities difficult to remove, and from the consequences of which England is still suffering.

3. Because an examination of the history of the past becomes the more necessary, when the Legislature is called on to abandon and overrule —1. The opinion of the Parliamentary Committee which, in 1804, resolved "that the adoption of a general system of relief for the poor of Ireland would be highly injurious to that country, and would not produce any real and permanent advantage even to the poorer classes, who must be the subjects of such support." 2. The opinion of a subsequent Committee, which reported in 1819, "that the establishment of a system of poor law would produce in a country like Ireland incalculable evils to every class of the community." 3. The opinion of the Committee of 1823, which stated that "any system of relief, however benevolently intended, leading the peasantry to depend upon the interposition of others rather than upon their own labour, could not but repress all those exertions of industry which are essentially necessary to the improvement of the condition of the labouring classes." 4. The experience of English Poor Law administration, as exemplified in the reports of the House of Commons Committee of 1817, and of the Commission of Inquiry of 1833, and which led to the amendment of the Poor Law of England in 1834. 5. The deliberate judgment of a Royal Commission appointed specially to consider the condition of the Irish poor, and which reported in 1836, that if any "considerable portion of the rental of a country were to be devoted to the support of unproductive labourers, commerce must decay, and the demand for agricultural produce and other commodities must contract, the number of persons out of employment and in need of support must increase, and general ruin be the result." 6. The recommendations of Mr. Nicholls, on which the King's Government of 1838 introduced, and Parliament passed, the Irish Poor Law Act, in which recommendations it was expressly stated "that no relief should be given except in the workhouse, and that this limitation should be specified in the Act, in order to protect the central authority from the pressure which is not unlikely to occur on this point." 7. The express declaration of the Ministers responsible for the framing and introduction of the Irish Poor Law, and which announced "that the administration of out-door relief would lead to a most pernicious system, mixing up mendicancy and charity with labour; a system of persons partly obtaining support by labour, and partly from the public purse, and which would not only produce in Ireland the evils which had existed in England, but evils very much greater, till out-door relief came to absorb a much greater portion of the produce of the land." 8. The evidence of Mr. Cornwall Lewis, Mr. Twiselton, Mr. Gulson, and Mr. Clements, all of whom had recent practical experience in the administration of the Poor Law in Ireland, agreeing in a conviction of the danger and ruin which must attend the introduction of out-door relief in that country; a judgment adopted by the Select Committee of the Lords in the last Session, which expressed "a decided opinion that the introduction of any system of out-door relief would be dangerous to the general interests of the community, and more particularly to the interests of the very class for whose well-being this relief was intended."

4. Because we consider it the more rash and unwise to set aside and overrule this unbroken series of Parliamentary judgments without the most careful and deliberate inquiry, as no attempt has been made in debate to impugn or to deny their force, or to meet them by conflicting authority or evidence, and that, by the rejection of the Motion for a Committee, an inference is justly raised that no such evidence can be produced, or is producible.

Monteagle.
Radnor.

HOUSE OF COMMONS,

Friday, March 26, 1847.

Minutes.] Public Bills.—1° Prisons (Ireland).—Troops during Elections; Service of Heirs (Scotland); Crown Charters (Scotland).

2° Drainage of Lands; Lunatic Asylums; Naval Service of Boys; Naval Prisons.

Reported.—Harbours, Docks, and Piers Clauses.

3° and passed:—Commons Inclosure (No. 2).

Petitions Presented. By Mr. S. O'Brien, from Galway, respecting Controverted Elections (Ireland).—By Mr. R. Currie, from Northampton, against the Use of Grain in Breweries and Distilleries.—By Mr. Moffatt, from Scotch Distillers, for Alteration of Law in relation to British Bonded Spirits.—By Mr. M. J. O'Connell, from Clonmel, against the Proposed Measure respecting Colonial Spirits.—By Sir E. Filmer, from three places in Kent, respecting Remuneration to Tax Assessors and Collectors.—By Captain Pechell, from Brighton, for Inquiry into the Conduct of the Brighton Police.—By Sir R. Peel, from Trustees of the British Museum, for Aid.—By several Hon. Members, from an immense number of Dissenting Congregations, against the Government Scheme of Education; and by Mr. Cowper, from Clergymen near Buntingford, in Favour of the same.—By Mr. S. Crawford, from Landholders of the Gorey Poor Law Union, for Alteration of the Law respecting Landlord and Tenant (Ireland).—By Mr. Gregory, from Ballinasloe, for Alteration of Poor Relief (Ireland) Bill.—By Sir E. Kerrison, from Suffolk, and Captain Pechell, from Gloucester, Hereford, and Worcester, for Repeal or Alteration of the Poor Removal Act.—By Mr. S. Crawford, and Viscount Morpeth, from several places, for the Suppression of Promiscuous Intercourse.—By Mr. Moffatt, from several places in Ireland, in favour of the Railways (Ireland) Bill.—By Mr. A. Oswald, from Ayr, against the Registering Births, &c.

(Scotland) Bill, and Marriage (Scotland) Bill; and by Mr. Matheson, from Dingwall, for Compensation respecting the same.—By Mr. Rumbold, from Great Yarmouth, for Alteration of the Law of Settlement.

PUNISHMENTS AT HONG-KONG.

Dr. BOWRING wished to read a paper from Hong-Kong, dated the 30th of January, which stated that the system of corporal punishment on board ship had, they were happy to state, been done away with, and that no punishment would now take place without a trial, in consequence of the discussion which had taken place in the House of Commons. He wished to know whether the Government had received any official assurance of what was thus stated?

Mr. HAWES sad, that no official confirmation had been received by the Government; but he could, at the same time, state that he had great reason to believe that there would shortly be a great amelioration of the system of punishment in the whole commercial marine of the country.

IRISH CHURCH.

Mr. SMITH O'BRIEN wished to ask the noble Lord at the head of the Government whether there was any intention to bring in any measures during the present Session to appropriate the property of the Irish Church to purposes in which both Protestants and Catholics were interested?

Lord J. RUSSELL said, that there was no such intention.

LIMITED ENLISTMENT.

Sir H. DOUGLAS wished to ask the noble Lord at the head of the Government whether the system of enlistment for a limited period had been adopted by the advice and with the consent of the Duke of Wellington, the Commander-in-Chief of the Army?

Lord J. RUSSELL replied, that there had been several communications with the Horse Guards, and certainly there had been no direct opposition to the plan adopted by the Government. Further than this he declined to answer.

SENTENCE OF DEATH BY COURT-MARTIAL.

Mr. WILLIAMS wished to put a question to the Secretary of the Admiralty. A short time since a private of Marines had been tried by court-martial for using improper language, and afterwards threatening his sergeant; he was found guilty, and sentenced to death by being hanged at the yard-arm of one of Her Majesty's ships. The question he wished to ask the hon. Gentleman (Mr. Ward) was, whether this sentence had been under the consideration of the Board of Admiralty; and whether that Board had ordered, or intended to order, the sentence to be carried into effect?

Mr. WARD said, that the sentence had been brought under the consideration of the Board of Admiralty; and their Lordships had felt justified under the circumstances in recommending a commutation of the sentence to transportation, which had taken place.

Mr. WILLIAMS begged to ask the hon. Gentleman another question. In the course of last Session, he (Mr. Williams) brought under the consideration of the House the naval articles of war, which he considered were of a most cruel and inhuman character; when the hon. Gentleman stated that they were under the consideration of the Board of Admiralty. He wished to know whether those articles had been considered by the board, and whether it was intended to make any alteration in them?

Mr. WARD replied, that the naval articles of war had been under the consideration of the Admiralty Board; but he feared he was not authorized to inform his hon. Friend that any alteration of those articles was contemplated.

HARBOUR OF REFUGE, HOLYHEAD.

Viscount SANDON begged to ask the Secretary of the Admiralty whether any Commission had been appointed to consider and take evidence on the plan to be adopted for constructing a harbour of refuge at Holyhead? and if so, who they consisted of, and what were their instructions?

Mr. WARD replied, that a Commission had been appointed to take into consideration, not the comparative merits of the present plan for forming a harbour of refuge at Holyhead as compared with other plans, but the merits or demerits of the plan proposed by Mr. Rendel. The Commission consisted of three officers, all eminent men, and none of them connected with any previous investigations—they were Captain Barwell, Captain Collinson, and Captain Shepherd. They were to hear evidence upon the plan, and more especially in a nautical point of view, but not in reference to a comparison with any other plan, but simply with regard to its own merits, or deficiency; and if the noble Lord would give him a list of persons the noble Lord might wish to be examined, they should be examined before the Commission.

CUSTOMS DUTIES BILL—RUM DUTIES.

On the Motion, that the Speaker do leave the chair for the House to go into Committee on the Customs Duties Bill,

The CHANCELLOR OF THE EXCHEQUER remarked, that it was but fair to the noble Lord opposite (Lord G. Bentinck), to state the course he intended to pursue. He understood that it was his noble Friend's intention to meet the Motion by a Motion to send the Bill to a Select Committee. When he first made the proposition respecting the duty on colonial rum, he had stated, that he meant that there should be a higher duty upon it than upon British spirits by sixpence. Since then he had had repeated interviews with distillers, and Members who acted on behalf of their constituencies, and they had all represented that the difference of duty was not adequate in the way of protection. He could not say that his own individual opinion had been changed on the subject. He still thought that a differential duty of 6*d.*, fairly paid, would be just to all parties; but he had been induced to reconsider his determination in this respect, and he found that he could give way without the surrender of any principle. He had been anxious to meet the views of the more moderate of those who represented the distillers; and, with that view, it was his intention, in the Committee, to propose that the duty on colonial spirits should be such as to make it 9*d.* a gallon higher than that on British spirits. Instead, therefore, of its being only 6*d.* a gallon higher, as it now stood in the Bill, it would be 9*d.* higher. He would not then go into his reasons for this course, either one way or the other, as he should have to assign his reasons in the answer which he should have to make to his noble Friend; but he thought that it was only fair to the House, and to his noble Friend, that they should be apprised of what he intended to do on the subject.

LORD G. BENTINCK then rose to bring forward the Motion of which he had given notice, for referring the Bill to a Select Committee up stairs, and said: Sir, I feel that I require the most especial indulgence of the House—indeed, I may say, even the toleration of the House on this occasion, for of all the dry and dull subjects that could possibly be introduced, the question which it is now my misfortune to bring under the consideration of the House is the driest and dullest; and I fear I have neither the tact, nor the talent, nor the ingenuity, to enliven a debate on such a subject. I cannot say that I bring any party feeling into the discussion of this question; I believe it is the wish and desire of my right hon. Friend the Chancellor of the Exchequer to do the most perfect justice between all the parties concerned in this matter; but, at the same time, I feel bound to say that I believe he is in error in forming the judgment at which he has arrived. If this question had been one merely of pounds, shillings, and pence, it would have been dull and complicated enough; but this is a question in which are concerned, not pounds and shillings, but pence, and halfpence, and farthings; it is, therefore, a dry and complicated question, involving minute details of pence and farthings chiefly: and I think, on that ground, I am justified in the proposal I have made at the outset, that instead of going into a Committee of the whole House on such a subject, we should refer the matter to a Select Committee up stairs; for, if ever there was a subject which required the calmest, the most deliberate, the most careful calculation by every Gentleman considering it, with pen in hand and ink and paper before him, it is this question of the differential duties between rum and British spirits. The question is more complicated on this account, that the cases of the English, Scotch, and Irish distillers all differ from each other; and not only that, but one part of Ireland differs from another part of Ireland, and one part of Scotland from another part, in like manner. But, Sir, if I was justified in asking for this Committee when I gave notice of my intention of so doing, so far from being dissuaded by the announcement which my right hon. Friend has just now made, I am the further inclined to persevere, by the fact that even the mind of my right hon. Friend is not fully made up on this subject. Up to a certain time, my right hon. Friend thought the duty ought to be but 6*d.*; but he now consents to give way, although his opinion is not changed. Therefore I think I have a good right to ask the House for a Committee up stairs, to assist in arranging and deciding what is the proper amount of differential duty to be fixed on British spirits and on colonial rum. And I can assure my right hon.

Friend, that if I am put on that Committee, so little is my prejudice on this subject—so little is my desire to give the British distillers any unfair advantage over the colonial distillers—that if he can prove that, instead of 9*d.*, a duty of 6*d.*, or even no differential duty, is necessary to meet the justice of the question, I shall be the first to propose that there shall be no differential duty. But I think I could show before a Committee up stairs, though not, perhaps, a Committee of the whole House here, that British distillers are entitled to a larger amount of duty than 9*d.* Sir, it is not very long ago since an Act of Parliament was passed regulating the differential duties between the Channel Islands and Great Britain. That Act is the 65th cap. of the 8th and 9th of Victoria, and it is intituled "An Act to determine what shall be the Countervailing Duties between the Islands of Jersey, Guernsey, Alderney, and Sark, and Great Britain," and was introduced by the right hon. Gentleman the Member for the University of Cambridge (Mr. Goulburn). In that Act it was recited that 1*s.* 2*d.* should be the countervailing duty between spirits manufactured in the Channel Islands and in Great Britain. Now, nothing has occurred since the passing of that Act to alter the decision then come to, except the alteration in the corn laws. Well, then, the point now is, to what extent has the alteration of the corn laws affected the question of the duties? Now, as this Act was passed in the year 1845, I must consider the duties under the corn law of 1842, and I find the average duties paid on barley between the years 1842 and 1845 inclusive were 5*s.* 11*d.* I do not know whether the House is aware that a quarter of malt grain will produce about 19 or at most 20 gallons of spirits; therefore a duty of 3*s.* would fall to the extent of about 2*d.* a gallon on spirits. The entire duty on barley is 5*s.* 11*d.*; but I cannot reckon that above half that duty is paid by the consumer, because, there being a duty of 3*s.* on malt, the other half is paid by the producer of the barley. If that be so, then 2*d.*, or something more than 1¾*d.*, is all the difference that exists now and that which existed in 1845, when the Government introduced the Bill for the regulation of the duties between the Channel Islands and Great Britain. Therefore I have a right to assume that 1*s.*, or at least 11¾*d.* a gallon, is still a just assessment between rum and British spirits. That Act recited that the object of it was to determine by Parliament what was the extent of the excise restrictions, and it then decided that these restrictions amounted to 1*s.* 2*d.* per gallon. Then I have this *primâ facie* evidence in my favour, that in the opinion of Parliament in 1845, 1*s.* 2*d.* was a fair countervailing duty to the restrictions of the excise laws; but I am prepared to show that this is a very moderate estimate of the real charge and expenses caused by the excise laws. It is within the knowledge of the House, or, at all events, of those Gentlemen who have paid attention to these subjects, that the excise laws were altered in the year 1823. They were altered, not for the advantage of the distiller, but for the better security of the collection of the excise duties. The result of those alterations was, that a distiller was no longer permitted to brew and to distil at the same time, or to brew and distil at all on the same premises on which he was permitted to rectify. He was also put under a vast number of other restrictions, to which I shall presently allude. But the effect of these main restrictions, preventing a distiller from distilling and brewing at the same period, makes it necessary for every distiller to double his plant, the size of his buildings, and the number and size of his coppers; and the result is, as it came out in evidence before a Committee of the House of Commons which sat in 1833, that a distiller whose business was, before the alterations, carried on with a capital of 40,000*l.*, requires under the new regulations a capital of 80,000*l.* Now, taking first the Irish case, it was given in evidence before that Committee, that in Ireland the distiller who produced yearly 60,000 gallons of whisky or raw corn spirit, previously to the alterations, required but 5,000*l.* for the plant of that business; but that, in consequence of the new restrictions, it has become necessary for him to lay out 5,000*l.* more, in order to do the same amount of buiness. Now, I believe that 10 per cent per annum is a fair sum to allow on property of this perishable description; and that gives a sum of 500*l.* a year to be charged on the 60,000 gallons of spirits produced, or exactly 2*d.* per gallon. That is the first item under the excise regulations. The next item is the loss of material arising out of these restrictions; and although it is not, probably, known to the great majority of the House, yet it is well known to those engaged in the business of distilling, that the restrictions oblige the distiller to brew to a certain gravity—oblige him to give so many hours' or days' notice of every movement he makes—oblige him, between each brewing or each distilling, to stop his works altogether for twelve hours; and oblige him, consequently, to extinguish his furnaces. The waste and loss of corn to which that leads, has been estimated by many distillers at one-twelfth of the whole produce; and this item the Irish distillers put at 2*d.* per gallon, at the lowest calculation. Then there is another important item, and that is the loss in the wages of workmen. For the same reason that it is necessary for a distiller under the excise regulations to double his plant, it is also necessary for him to increase, although not to double, the number of hands he employs. The same man who could superintend at once the brewing and the distilling formerly, must now of course expend a double amount of time, and therefore receive double wages; as the distiller can no longer brew and distil at the same time. The Irish distiller estimates his increase of expenditure from increased wages at ½*d.* per gallon; which makes, with the two former items, 4½*d.* per gallon. I now come to another important item, which is, perhaps, the most remarkable of all, and the mention of which alone ought, I think, to be enough to induce the House to grant the Committee for which I move. It is necessary for the distiller to make use of yeast. But by one of the excise restrictions a distiller is forbidden to make use of any article in his distillery which is produced by his own brewing; and the English, the Irish, and the Scotch distiller is consequently absolutely forbidden to use the yeast which he himself makes. And it is a fact, extraordinary as it may seem, that in order to enable the excise laws to be carried out, every distiller is obliged to turn his yeast down the gutter, and afterwards to go elsewhere to purchase the yeast he may require. I have been assured by Irish distillers, that every distiller in Galway, Belfast, Drogheda, and Cork, is obliged to turn the yeast he himself manufactures down the gutter, while the Cork distiller afterwards purchases his yeast in Dublin, and the Belfast and the Drogheda distiller purchases his yeast in London, although each of those distillers might have yeast of his own making without any expense. The cost of yeast for every gallon of spirits amounts to a penny; and as there are 26,000,000 gallons of spirits distilled in England, Ireland, and Scotland every year, a sum of 108,333*l.* is annually wasted under that excise regulation to which I refer. That charge of 1*d.* a gallon for yeast makes, with the 4½*d.* I have already enumerated, a sum of 5½*d.* a gallon, which the distiller loses by the alteration which was made in the excise regulations. I now come to the malt duty. I am speaking of Ireland. In Ireland, in what are called the raw-corn spirits, about 2-13ths of the corn is malted; therefore there is a charge for malt duty on 2-13ths of the corn employed. The malt duty amounts to 1*s.* 4*d.* per gallon; and as 2-13ths of the corn employed pays that duty, the charge imposed by it amounts to about 2½*d.* per gallon. But one who was a high authority on all these matters in former times—I mean Mr. Huskisson—maintained that while the malt duty was in itself a heavy charge, the restrictions imposed by that duty added half the amount of the duty to the cost of malt. And well might Mr. Huskisson make that statement, for the same restrictions which apply to distilling, also apply to the making of malt under the excise regulations. The maltster is tied to time, with respect to steeping his barley, and also with respect to laying it to cool. I believe that forty hours is the time allowed by the excise regulations for laying out barley to cool; but if the weather should be unusually cold that time is not long enough, and the consequence is, that in very cold weather a comparatively small portion of the essence of the barley is extracted. If, however, the weather should be unusually hot, the barley sprouts long before the termination of the forty hours; but the maltster is, nevertheless, compelled, under the excise regulations, to look on and see his barley sprout, with the certainty that it will afterwards turn mouldy. He is, in fact, forbidden by the excise laws to save it from destruction. Those with whom I conversed upon the subject, assured me that, on an average, the loss from the sprouting of barley too soon, and its becoming mouldy, amounts to half-a-crown on every quarter of barley. But to that must be added the loss which arises in cold weather from barley not being steeped sufficiently long. Under these circumstances, I think Mr. Huskisson had very good grounds for stating that the lowest sum at which he could fix the cost of these restrictions to the maltster was 50 per cent of the duty itself. If, then, I add 50 per cent to the 2½*d.* per gallon which is paid on spirits under the malt duty, as I have already shown, the whole sum will amount to 3¾*d.*; and that will make, with the sums I have already mentioned, a total of 9¼*d.* per gallon. Then I come to what are called the decreases. In the case of British spirits, the duty is charged on the quantity which leaves the worm-end. But as regards rum, the case is entirely different. The duty is charged on rum not as it leaves the worm-end, not as it leaves the West Indies or the East Indies, and not as it arrives in this country. The rum, when it arrives here, after leakage and evaporation in a hot climate, which improves the quality of the rum, is put into bond, and the duty is paid, not on the quantity which comes into bond, but on the quantity which goes out of bond. Now, I find by a reference to the papers which were laid before the House last year, in consequence of an order of the 29th of last May, that the allowance made to rum-producers amounted to 3*d.* 6-10ths in England, to 6*d.* 7-100ths in Ireland, and to 8*d.* 5-10ths in Scotland on each gallon. In England the reduction allowed to the producers of rum was 76,794 gallons on 2,411,001 gallons, and the amount of duty returned was 36,248*l.* for leakage and evaporation; in Ireland the number of gallons allowed was 737 on 13,717 gallons, and the amount of duty returned was 347*l.*; and in Scotland the number of gallons allowed was 3,287 on 43,231 gallons, and the amount of duty returned was 1,534*l.* I believe it will be found from these items, that I have correctly estimated the allowance per gallon in each of the three kingdoms. Now, if any Gentleman will make the calculation, I believe he will find that I have justly estimated the allowance which is made per gallon on rum in the three separate kingdoms; but I have not made that calculation on grounds which will apply to the reduction now proposed by the Government; but I speak with reference to the reduction which I imagined was to be made when I came into the House, and therefore my calculation will be so far incorrect, because, of course, the additional reduction will add to the amount which is to be given back to the rum producer. However, I have made a calculation of what would be the amount of the drawback, as I may call it, for leakage and evaporation allowed to the rum producer in England, Scotland, and Ireland; and I find that in England the drawback with the proposed duty of 6*d.*, will be 3*d.* and 4-10ths of 1*d.* a gallon; in Ireland 2*d.* and 1-10th; in Scotland, 4*d.* and 3-10ths. The House will observe that the duty before this, on rum, was 8*s.* 10*d.* a gallon in the three kingdoms, and it is now proposed to be reduced to 8*s.* 4*d.* in England, to 4*s.* 2*d.* in Scotland, and to 3*s.* 2*d.* in Ireland; therefore I am obliged to calculate the drawback on the reduced duty, and I believe that I am not incorrect when I state that to be the advantage, as far as drawback is concerned, as between the rum producer and the distiller of British spirits; and, therefore, taking the Irish case, I have assumed, the disadvantage of the Irish distiller of raw corn spirits at 2¾*d.* and 1-8th a gallon as regards this drawback. Adding this to the items already stated, the result of the whole is, that under these restrictions, the disadvantage of the Irish distiller is 11¾*d.* and 1-8th of a penny; so that, in respect of tangible and substantial disadvantage, such as I am able to measure in money, the Chancellor of the Exchequer ought to have given 2¾*d.* and 1-8th more than he has put on by his amended proposition. I have not, however, included in this calculation the bar which these restrictions impose on every distiller in the way of effecting any improvements. The distiller cannot change any of his utensils; he cannot alter his mode of proceeding in any way; he cannot choose his ingredients; and he is forbidden to use the very molasses from which is made the rum imported into this country. The distiller, the maltster, and the rectifier, are the only persons in this country who are now prevented by the excise duties from improving the articles they produce. I do not pretend to be able to calculate the amount of the loss to which the distiller is exposed by this incapacity of improving his mode of manufacture. But I may refer, by way of illustrating that point, to the great improvements which took place in two other trades from the removal of excise duties. It is within the knowledge of every Member of the House that up to the year 1831 an excise duty was imposed on printed cottons. In the year 1831, Lord Althorp removed that duty; and what was the result of the removal ? Why, it appears that in the course of the three years following the removal of that excise duty, the exportation of printed cottons increased by 51,000,000 yards; and in the year 1845 the increase amounted to 238,000,000 yards. Another example of the same kind is, the removal of the duty on glass—a measure for which the country is indebted to the right hon. Baronet the Member for Tamworth. What was the effect of the removal of those duties? Every one will recollect the speech of the right hon. Baronet, in introducing that proposition, respecting which although perhaps his sanguine expectations were not realized, still the improvement created was something very surprising. A paper was laid on the Table of the House last year, showing the effect of the removal of the glass duties. It was stated that as regards plate and window glass, the manufacturers had availed themselves of the increased demand, and an increase in the works had been the consequence; that the demand for crown, sheet, and plate glass became so great that the orders could not be supplied; that additional houses had commenced working; that large factories were erected in Dublin, Belfast, and other places; and that the great difficulty was to procure a sufficient number of skilful workmen, who took advantage of the demand to enforce special stipulations; and that the demand exceeded all expectation. The extra make since the repeal of the duty was estimated at not less than 50 per cent. Besides the old glass houses, five new ones had started, and five more were under weigh, and nearly all, both new and old, were making or were about to make sheet glass. Workmen were making from 4*l.* to 6*l.* a week. The document concludes by stating that it would be impossible to point out any alteration made by the hon. Baronet the Member for Tamworth which had been so signally successful as the repeal of the glass duties, more especially those relating to window glass. The supply had not been able to meet the demand, and, from the scarcity of workmen, wages had risen fully 30 per cent. In the case of glass, I have shown a very strong example of what the removal of the excise duties will do, for it must be borne in mind that, as regards the glass duties and the removal of the excise duty upon it, the great increase of the trade was not created by any increased export of glass, for soon after the passing of this law the duties on foreign glass were repealed altogether; and the consequence was, that foreign glass came into competition with English, the drawback on English glass exported was withdrawn, and English glass had to contend in foreign markets with foreign glass on equal terms; and so far from the export of English glass being increased, it was very much diminished, whilst the importation increased. But what happened was this. The excise duties being taken off, a great impulse was given to the trade at home, and it was the home consumption which created this enormous increase of prosperity in the glass trade. I think, therefore, by referring to what the removal of the excise duties did in printed cottons in 1831, and the removal of the excise duties on glass in 1845, spite of the competition of foreign glass, I am entitled to say that it is almost impossible to calculate what loss the Irish, Scotch, and English distillers suffer by being thus cramped and fettered in their manufacture. As regards Ireland, there is another consideration connected with these excise duties. Whisky is the native drink of Ireland; but a very small portion drunk there is made of malted spirits, and that arises from the malt duty. The effect of malting barley is to extract from it all its noxious properties, so that the effect of the excise duties in Ireland is, I believe, that not more than 100,000 gallons of spirits are made from malted corn in all Ireland; and with that exception the Irish people are compelled by the excise and malt duties to consume a poisonous instead of a more wholesome spirit. On the subject of the malt duties, another disadvantage under which distillers of Great Britain and Ireland labour is this, that no drawback is allowed them on exportation to foreign countries or the colonies. What has been the consequence of that? That whilst on the average of the last three years you have exported to foreign countries of beer to the amount of nearly 500,000*l.*—437,000*l.*, I believe—and whilst of foreign spirits 303,000 gallons have been exported, no British spirits of any description have been exported. Your excise laws, in fact, prohibit the trade of the British and Irish distiller with foreign countries. Therefore, I think, as far as Ireland is concerned, I have made out a complete case for a Committee up stairs. I now come to the case of the English distillers. It differs somewhat from that of the Irish, inasmuch as the English distillers only employ half the quantity of malt used by the Irish distillers, and have recourse to the process of rectifying, to purify their spirits, as a substitute for malting. On the other hand, the very fact of the existence of this excise restriction makes the trade of the English distiller a monopoly, for no man not possessed of a very large capital can engage in the trade, and there are only about six or eight distillers in England. The price is unduly kept up. The English distiller claims a halfpenny upon the foreign duty on barley. The duty on barley, though for the present removed, is supposed to be but temporary, and to be renewed in six months. therefore I must take the duty on barley at 2*s.*, and I presume one-half of the duty again is paid by the foreign producer and the foreign importer, and the other half by the consumer. The English distillers claim as the Irish do—

	s.	*d.*
For the duty on barley . . .	0	0½
They set the absolute duty on malt at	0	1½
Taking the price as enhanced 50 per cent, I have a right to add . .	0	0¾
The English distillers also suffered from the yeast being turned down the gutter	0	1
The loss on the material was . .	0	2
The duty being payable after the decrease	0	3 4-10
The duty paid in advance . .	0	0½
I have been informed by one large distiller that 80,000*l.* was now required for machinery to make 100,000 gallons a year, and that but for the excise duty 40,000*l.* would manufacture the same quantity of spirit, which gave a loss per gallon of	0	1
Then for saving on rectifying . .	0	3
Making together . .	1	1½ 3-20

And even if they did not admit 50 per cent the enhanced price of the malt, owing to the duty, the difference would be 12¼*d.* 3-20ths, as the discriminating duty which the English distiller ought to receive. I will conclude with the Scotch case, which varies very much from the Irish and the English. More than two-thirds of the spirits made in Scotland are made from malted spirit; and, therefore, here the principal question is the duty on malt. There were the same restrictions of the Excise, but there was no rectifying: they had to deduct the smaller duty on malt which I have mentioned in the English case as 2¼*d.* and in the Irish as 3¾*d.*, and they have to set against those sums respectively the entire duty on malt, with the exception of 8*d.* a gallon, allowed as drawback. The absolute duty paid on malt was 1*s.* 4*d.* a gallon; and, deducting the 8*d.* drawback, there was 8*d.* left for the difference of that duty alone; and if I am allowed to take the same calculation of 50 per cent on the enhanced price of the malt, I should be entitled to add 8*d.* more, because the drawback does not apply to the enhanced price of the malt; the price of the malt being 1*s.* 4*d.*, and the enhanced price 8*d.* more, together 2*s.*, whilst the drawback is 8*d.* only on the gross sum; but if I state only the enhanced price on the 8*d.* after deducting the drawback, the claim would be 4*d.* more; and the Scotch case would stand thus:—

	s.	*d.*
For the duty on barley . . .	0	0½
Absolute duty on malt . . .	0	8
Enhanced price	0	4
Yeast	0	1
Difference on account of duty on decrease only	0	3 4-10
Loss of material in the manufacture of the article	0	2
Altogether . . .	1	6¾ 3-20
Or, adding, duty paid in advance .	1	7¼ 3-20
And even taking off the per centage for the enhanced price . .	0	4
There will still be . . .	1	3¼ 3-20

as the discriminating duty to which the distillers in Scotland would be entitled to put them on an equal footing with the producers of rum. I have now completed my entire case, having stated the separate case of the Irish, Scotch, and English distillers, without troubling the House by going into nice distinctions between those who distil from malt alone in Scotland, and those who distil partly from malted and partly from corn spirits. In closing the statement I have made, I beg to thank the House most cordially for the kind attention with which they have listened to it. I trust I have shown a case for going into a Committee up stairs, when witnesses might be examined, and time and deliberation might be used to ascertain what is the exact justice of the case. I am no advocate of any preference or partiality towards English, Scotch, or Irish distillers over the colonial producer. I am no advocate of any monopoly whatever. I desire only equal and exact justice between both parties, and the only way in which that end can, in my opinion, be properly attained, is in a Select Committee up stairs, consisting of impartial Members of this House. I beg, therefore, to move that the Bill be referred to a Select Committee.

The CHANCELLOR OF THE EXCHEQUER was understood to say, that he thought his noble Friend, in the statement he had made, had given the most conclusive reason why they should not agree to his Motion for referring the subject to a Committee up stairs, where nothing more could be elicited in favour of the distillers, than what the noble Lord had already stated to the House. It was not a little remarkable that his noble Friend had overstated the case which the distillers made for themselves, though it was scarcely possible to suppose that they would not put forward their case as strongly as possible. His noble Friend not only went farther than the distillers had gone in the printed paper which they put before the public, but he gave as an additional ground for a higher differential duty, the fact that they were not to be allowed to distil from molasses. The real question, however, before the House was, what amount of differential duty on rum was necessary, in order to place spirits distilled from grain, so far as they were affected by legislative enactments, on an equality with rum. It was, therefore, altogether beside the present question to talk of distilling from any other material than grain. He was sorry not to be able to allow distillation from molasses; but he had, after the most minute inquiry, come to the conclusion that it was impossible to allow distillation from molasses without the greatest risk to the revenue. The evidence of Mr. Smith, an eminent distiller, which he had quoted on a former evening, was distinct on this point. In a recent interview, which he had with two of the principal distillers in London, he had said that he was prepared to allow distillation from molasses, if they, as men of honour, could say that he could do so with safety to the revenue. It was impossible for Gentlemen to behave more fairly than they did; and they both admitted that it was impossible for him to do it without running very serious risk of loss. He would now recall to the recollection of the House the position in which this question stood. They would remember that at the close of the last Session a measure was introduced very much for the benefit of the revenue as well as of the consumer, but which the West Indian body believed would be most detrimental to their interests. He thought, as he had stated at the time, that they had very much exaggerated the injury which that measure would produce to them; and certainly, up to that moment, their anticipations had not been realized, for the price of sugar had been very little reduced, and that of rum had risen considerably. At that time, the West Indians, instead of resisting the reduction of protection, which had been given to them against the foreign sugar, contended, that no other interest should continue to receive a protection of which they were to be deprived; and a more gratifying proof of the soundness of the principles of free trade they could not have, than this, that when they took away protection from one interest, that interest immediately became the advocate of an extension of the same principles to other interests, whereby the great body of consumers would be sure to be materially benefited. He trusted that on future occasions they would only regard taxation for the sake of revenue; and that those commercial principles, which, he believed, were too firmly established to be shaken, would be carried further till all duties imposed merely for the sake of protection were done away, and no duties levied but such as were required to raise the necessary revenue of the State. He had stated on a former occasion, that he thought there were grounds at present upon which distillers were entitled to a differential duty. He thought so still; and although he had, in deference to the wishes of many persons, and with a view of rendering more certain the success of the measure, increased the amount originally proposed, he thought he should be able to satisfy the House that in allowing a differential duty of 9*d.*, he was giving as much, if not more, than the distillers in any part of the United Kingdom would have a right to demand. There was a considerable difference in the circumstances in which distillers carried on their operations in different parts of the kingdom; but his noble Friend must see that it was perfectly impossible to impose a differential duty in the same country varying in amount, so as to give protection to spirits according as they were produced in a different manner. If he established his point as to one part of the country, he would have established it for all; because, if spirits produced in Scotland and Ireland came generally into competition with spirits produced in England, it was clear that, as the matter now stood, they must be on a perfectly equal footing. In order to show that such was the case, he had taken the amount of spirits imported from Scotland and Ireland into England in the last year; and in that amount hon. Gentlemen would see that it was not merely an importation of small quantities which might be imported for the use of some gentlemen in England, who preferred the flavour of the spirits of Scotland, or of Ireland, but of the large quantities coming into general consumption in this country, and entering into a fair competition with the spirits produced here. Now he found that the spirits produced in England in 1846 amounted to 5,624,000 gallons, whilst of spirits imported from Scotland there were 2,136,000 gallons, and from Ireland, 1,418,000 gallons. As those spirits entered fairly into competition with the spirits made in this country, it was evident that what was an adequate protection to spirits produced in England, must be an adequate protection to spirits produced in Scotland and Ireland; and, also that what was an adequate protection to grain spirit in one country, was an adequate protection to the malt spirit of the other. When Lord Ripon was Chancellor of the Exchequer, the differential duty on rum was fixed at 1*s.* 6*d.*; but it appeared by the statements made by the distillers in 1830, at an interview with the right hon. Gentleman opposite (Mr. Goulburn), then Chancellor of the Exchequer, that of this 1*s.* 6*d.* they considered themselves entitled to not less than 9*d.* a gallon as the additional cost imposed upon them by the necessity of using British corn, in consequence of the corn laws. If, then, that sum were deducted from the 1*s.* 6*d.*, there being no duty on foreign corn at this moment, it was quite clear that, upon the showing of the distillers themselves in 1830, the maximum protection to which, upon any conceivable supposition, they were now entitled, was 9*d.* a gallon. When the noble Lord, therefore, went beyond the 9*d.*, he was contradicted by the evidence of the distillers themselves. In the course of the last summer the differential duty was reduced from 1*s.* 6*d.* to 1*s.* He stated, at that time, that he would, during the autumn, inquire carefully into the matter; and, if he saw reason to alter the duty, would endeavour to fix it at such a point as would do justice to both parties. With this object, he had requested the West Indian body on the one hand, and the distillers on the other, to send him statements of their respective cases—the one for protection, the other for reduction. He held in his hand the statement sent to him by the distillers. No serious objection was made last Session to the reduction of the differential duty to 1*s.*; but in this statement they claimed a protection of 1*s.* 4½*d.* The first item to make up this amount was 1*d.* as an equivalent for the duty on foreign corn. He need say no more on this point, as the noble Lord had given it up. The next item was 1½*d.* for malt duty: this he admitted; but the precise amount was 1¼*d.*, as appeared by the papers which he had already laid upon the Table. The next item was an allowance for decreases, &c., which the distillers estimated at 4*d.* For a long time he had not been able to understand on what ground they formed so high an estimate. The real amount of decrease was just as well known to the Excise as to the distillers, for the quantities put into the warehouse were known; and the quantities taken out were entered in the permit; so that there could be no question as to the amount. Knowing, therefore, that no such amount as they claimed was warranted by the fact, he could not understand on what they grounded their claim. At least it appeared that they had not estimated the decrease of their own spirits, but had estimated that which took place in spirits imported into this country—that is, in rum. Now the decrease in rum was no test whatever on the decrease on British spirits. Rum was imported in casks from a very hot climate; and from the effect produced by change of temperature, a very serious leakage took place, and very great loss, which was not the case with spirits manufactured here. It was quite clear, however, that if the distillers paid duty only after the decrease had occurred in their spirits, they would have no more claim on that account than the foreign importers; and if he made them an allowance equal to that decrease, they would be on the same footing as the importer of colonial spirit. The argument on this head, as stated by the distillers, was a complete fallacy. He would now show what the value of the decreases really was. He had taken the average of six large distilleries in 1846, and he found that, on a stock of 5,138,000 gallons, the decrease was equivalent to not quite ¾*d.* a gallon. He had also got an average taken fourteen years ago, and at that time it was under ½*d.* On Scotch spirits the actual decrease was equal to 33-100ths of ¼*d.* per gallon; and in Ireland the allowance was equal to ¼*d.* 15-100ths per gallon. Therefore the maximum allowance for which, upon any reasonable ground a claim could be made for leakage, &c., was ¾*d.* in England; less than half a farthing in Scotland; and very little more than ¼*d.* in Ireland. Then his noble Friend came to rectifying. In Scotland and Ireland there was no rectifying; and here it came as much under the description, as his noble Friend had said, of the process of compounding, the spirit being mixed with the juice of juniper berries and other things, for the purpose of imparting to it a particular flavour and quality. But if in Scotland and Ireland there was no rectifying, he could not see that there was any ground for claiming an allowance on account of rectification. The cost of this process was made up for in the price obtained for the spirit. He would, however, show what would be the utmost allowance, if any whatever was to be made. In Scotland and Ireland, where there was no rectification, a larger quantity of malt was used, and by this means a better flavour was given to the spirit. This was the equivalent in those countries for the process of rectification in England. In the printed case of the Scotch and Irish grain distillers, they claimed 2½*d.* for malt duty. The value of the duty on the quantity of malt used in England was 1¼*d.*, and the other 1¼*d.*, making up the 2½*d.*, was therefore the value of the duty on the extra quantity of malt used in Scotland and Ireland as the equivalent for rectification; therefore 1¼*d.* would express fairly the cost of the process of rectification. Independently, therefore, of excise restrictions, the claim of the English distillers amounted to 1¼*d.* for malt duty, ¾*d.* for decreases, and 1¼*d.* for rectification—if any thing was to be allowed on that score, which he did not admit—in all 3¼*d.* In Scotland and Ireland it would be rather less, the allowance due to decreases being less, as already shown. The noble Lord had made a special case for the Scotch malt distillers. He must repeat that they now competed successfully with the grain distillers, and could not possibly claim more protection than the latter. The truth was, that they were compensated by the superior price of their article for the larger amount of duty which they paid. Their spirits were not rectified; and, of course, they had no claim on this ground. Besides this, they had the advantage of a drawback on their spirits when consumed in Scotland; and as a similar advantage formerly enjoyed by the distillers of malt spirit in Ireland had been taken away from them, the Scotch malt distillers, instead of having a stronger claim than others, were a peculiarly favoured class. Perhaps, if even justice was to be done, this drawback ought to be taken away from them. This he did not propose to do, but would leave them as they were. To show how little they needed protection, he would refer to a paper which he held in his hand—a return of the quantity of malt spirits brought into consumption in Scotland in different years. It was—

In 1829	5,213,000	gallons.
1830	5,529,000	—
1831	5,339,000	—

In 1832, the drawback on malt spirits was reduced from 1*s.* 2*d.* to 8*d.*, but the production, nevertheless, increased; and was—

In 1833	5,305,000	gallons.
1834	5,466,000	—
1835	5,486,000	—
1836	6,066,000	—

He would now refer to the quantity of malt spirit sent from Scotland to Ireland. In 1842 the drawback was taken away from the malt distillers in Ireland, and, of course, the malt spirits sent from Scotland to Ireland ceased to be entitled to drawback; but still the quantity of malt spirit sent from Scotland to Ireland increased. The quantity of spirits distilled from malt which was sent from Scotland into Ireland was—

In 1840	427,000	gallons.
1841	432,000	—
1842 drawback in Ireland repealed.		
1843	329,000	—
1844	399,000	—
1845	507,000	—
1846	524,000	—

It was evident, therefore, that the Scotch malt spirit successfully competed in Ireland with Irish spirit, whether distilled from malt or from raw grain. Again, the Irish malt distiller had no drawback at all, and paid the full malt duty, so that it really was absurd for the Scotch malt distiller to make a claim on the ground of the peculiar hardship of his case. With regard to the case of the Irish malt distiller, he competed successfully with the Irish grain distiller, for in spite of the withdrawal of the drawback in 1842, the quantity of malt spirit brought to charge in Ireland was higher in the last two years than it ever had been before the repeal of the drawback. Having now disposed of the alleged special cases, he would advert to the claim on the ground of excise restrictions. They were stated to be 1*d.* on account of increased plant; 1*d.* for the expense of coal, purchase of yeast, &c.; and 2*d.* on account of the restrictions on the manner of working, making in all 4*d.* He fully admitted, that distillers were subject to disadvantage by reason of these restrictions, which were indispensable for the protection of so large and important a branch of revenue; but it was difficult to appreciate them accurately in money. The Irish distillers claimed 6*d.* on account of excise restrictions, while the English distiller was content with 4*d.*; yet the law was the same in both countries; and he saw no reason to suppose that the cost of the restriction ought to be estimated more highly in the one country than in the other. He thought, therefore, that he might assume 4*d.* to be the outside; and without going into any very minute discussion upon this point, he thought that a very short statement would satisfy the House that this must be a very exaggerated estimate of the real value of the claim on this account. The distillers in England stated that the whole cost of a gallon of raw spirits might be taken at about 2*s.*, of which the value of the materials was 1*s.* 6*d.*, and the cost of manufacture did not exceed 6*d.* per gallon; and certainly hon. Gentlemen must be more credulous than he was, if they believed that 4*d.* out of this amount was to be attributed to any restriction imposed by the Excise. The claims of the English distillers on other grounds he had shown to be only 3¼*d.*, including that for rectification, which he did not admit to be well founded; and, adding to that sum the 4*d.*, as claimed by them on the score of restrictions, the whole amounted only to 7¼*d.* Believing, as he did, the latter sum to be exaggerated, he himself saw no reason to doubt the soundness of the conclusion to which he had come in the first instance, that a differential duty of 6*d.* would fairly meet the justice of the case. A most liberal allowance might raise this to 7¼*d.*; beyond this, he could not see any claim. He had, however, gone beyond this in his anxiety to bring forward a measure which might be carried, and he had fixed the duty at an amount, the utmost which, upon the grounds put forward by the distillers themselves in 1830, they could possibly claim. If his noble Friend opposite would not allow that the distillers themselves knew the facts of their own case, he saw no means by which the House could argue the question then before them with any prospect of coming to a rational conclusion. He would not go again into any detailed examination of the case stated by the Scotch and Irish distillers; for, although upon those statements he had shown that their claims were rather less than those of the English, his decided opinion was, that there could be no real difference between the fair claims of the distillers in the three countries. He would only advert very shortly to that prospect of ruin which his noble Friend had said was impending over the distillers from this measure. He believed that the views which his noble Friend pressed upon the House were most chimerical. There could not be a greater error than to suppose that any very great quantity of rum was likely to be imported into this country. In 1845, the quantity of spirits consumed in the whole empire, amounted to upwards of 26,500,000 gallons; of that vast quantity, only 2,400,000 were rum, and 1,000,000 foreign, leaving a difference of 23,100,000 gallons of British spirits. This instance, and similar returns for other years, showed pretty clearly that rum was not a very formidable competitor in the market against British spirits. Another material fact was this, that every improvement in the manufacture of sugar led to a diminished production of rum. Sugar was the most valuable article into which the produce of the cane could be made; and the more complete the manufacture, the less would be the quantity of rum and molasses. Every one acquainted with the West Indian trade must be aware that the expense of sending rum to this country was enormous; amongst other sources of loss, there was the great leakage in conveying the rum from a hot to a cold climate; the idea, therefore, that the import of rum into this country could injure the distiller, was about one of the vainest fears that could possibly be entertained. He hoped, however, that the West Indians would be benefited by a somewhat increased importation of rum, and that the effect would be to prevent the practice of combining cheap, and perhaps deleterious substances with inferior British spirits, for the purpose of forming a compound resembling rum, to be vended to the consumers of that article instead of sound and genuine spirits. With regard to the question as bearing upon the revenue, he had never considered it in that character; but be believed that, upon the whole, the revenue would be benefited by the measure.

MR. CALLAGHAN said, the right hon. Gentleman had so mixed up the calculations he had himself made, with the cases of Irish and Scotch, and again with the cases of the Irish and English distillers, that the House must receive with caution the conclusions he had deduced. The right hon. Gentleman had failed in showing that the Irish distillers would be compensated for the expense and inconveniences of manufacture, by a differential duty of 9*d.* or 1*s.* per gallon upon the importation of rum. Their claim had always been 1*s.* 6*d.* per gallon; and justice required that they should go into Committee, in order to discuss that point. At the same time, although the Irish distillers joined with the English and Scotch in demanding a Committee, and would agree to accept 1*s.* as the differential duty between rum and British spirit, they did not abandon their claim to establish before the Committee the justice of 1*s.* 6*d.* being conceded. The right hon. Gentleman had debated the case of the Irish distillers upon untenable ground; for he had argued as if he could show the decreases in their stocks, whilst he had been told the Excise could not give any such account. He had a statement of the contents of a certain number of casks of spirit warehoused in Dublin for exportation to England, the decrease upon which averaged 4½ per cent. The loss in bulk in warehoused spirits was about equal to the loss in strength; and in the whole he estimated it at 9·50 per cent. Then it was said by the right hon. Gentleman, that the distillers need not fear the competition of colonial spirits. Their apprehensions on this account were not to be estimated by what had come in heretofore, but rather by the increased powers of production, not in the West Indian colonies only, but in the East Indies, and by the price at which rum could be imported here. The following was an account of the quantities of rum exported from Calcutta to this country from the 1st of November to the 31st of October in each of the following years — 1842-3, 560,000 gallons; 1843-4, 662,000 gallons; 1844-5, 705,000 gallons; 1845-6, 760,000 gallons. The manufacture of this spirit was increasing in the East Indies. The cost of its production must be judged from the market price in this country, which was 1*s.* 7*d.* per imperial gallon, after paying the expenses of freight and insurance. How was it possible for any Irish distiller to compete in the English market with rum produced at so low a rate? At present the Irish were not allowed a similar drawback to that which the Scotch enjoyed, although it was evident, that, in order to do justice to the Irish distillers, they ought to be placed in a position as advantageous as that which was occupied by the Scotch. He would also remark, that the alteration in the law, relating to the drawback, by which Ireland was not placed in an equal position, was made, not at the instance of the Chancellor of the Exchequer at the time, but was asked for by the distillers of England and Scotland. The Irish distillers, among other causes of complaint against the present measure, complained that it was introduced very suddenly; and they earnestly wished that it would be brought on more gradually than was now proposed. As to the expenses of rectification to which the English distiller was subject, it ought to be recollected that the Irish distiller stated, that he made a better spirit than the English distiller, and suffered, by the manufacture of the superior spirit, a loss more than equal to that which the rectification could possibly cause. Then there was another cause of considerable loss to the Irish distiller, of which, perhaps, hon. Members were not aware—namely, that in Ireland to a great extent spirit was not brought into consumption until it was matured by age: in Dublin, for example, it was the custom to overhold spirits for years before they were brought into use; and this necessary overholding caused a very great loss to the distiller, both by waste and by the locking up of his capital for so long a time. For his part he was satisfied that the Irish distillers could make out a good case for the differential duty which they sought. He had no objection to distillation from sugar; for he only required that the Irish distillers should be put upon an equal ground with other interests. The Irish distillers were subjected to many peculiar losses; and he did not think that the Chancellor of the Exchequer had made out any case against the statements which had been made to him by the distillers of Ireland.

Mr. BERNAL was not a party to any private discussions on this subject before the Chancellor of the Exchequer, and therefore now felt himself as free as air. He considered the colonial interest had not been equitably treated on the present occasion. If the right hon. Gentleman arrived at the conclusion that justice and equity required that the discriminating or differential duty that existed between the colonial-made spirits and the home-made spirits should be 6*d.*, he (Mr. Bernal) heard no reason given to warrant the further extension of that duty to the sum of 9*d.* The hardship of fiscal regulations had been referred to. Now, there were only eight gentlemen who constituted the body of distillers in England; in Scotland they amounted to 280 or 300. He did not know their number in Ireland; but in England Proper, he regretted to say, that the spirit trade was a monopoly. If those gentlemen suffered from fiscal regulations, let those regulations be mitigated; but those regulations should not be made to weigh against the colonial distiller. The colonist might as well put forward the hardship he suffered in paying *5d.* a gallon for freight. The colonist had also to pay for casks and puncheons, every one of the latter costing him 18*s.* or 20*s.* But throwing overboard those trifling considerations, he would ask, was the colonist entitled to be treated as a subject of this country? Was the planter of Barbadoes, or the sugar-grower of Trinidad, to be treated differently from an inhabitant of England, Ireland, or Scotland? Fiscal regulations and all incidental hardships should be left entirely out of the question, and the matter dealt with on equitable principles. He should oppose the proposition for referring the subject to a Committee up stairs. A few years ago a Committee investigated the matter; and chemists, distillers, and brewers having advanced the most contradictory theories, no useful result followed from their labours. A similar investigation would only prolong the irritation upon this subject; and the uncertainty of the result would materially injure, if not altogether paralyse, commerce. For what reason did they wish to charge the public a greater sum if they preferred rum to gin? Was it sufficient to say that an additional duty was imposed, because the producer of the latter was hampered with excise restrictions? Was it not stated over and over again that if the principle of protection was to be withdrawn from the colonial sugar producers, that the full advantage of the free-trade principle would also be conceded to them? One mistake made was, that this question should be argued on the supposition that all spirits were produced from malt; whereas it was well known by hon. Gentlemen connected with Scotland that only two-thirds of the spirits produced in that country was produced from malt. The rest was produced from the raw grain. In England there was not more than one hundred gallons produced from malt proper. [An Hon. MEMBER: Seven hundred.] His hon. Friend was mistaken. There were no papers laid on the Table of the House to show that in England spirits were produced from malt alone. The greater part of the spirits made in this country was produced from the raw grain. The same might be said with reference to Ireland. Let him be shown how much the distillers in either of the three countries suffered by the imposition of the duty on malt, and so much, and no more, he thought, should be the discriminating difference between the duty paid upon the colonial article and the home article. If his expenses were increased as a producer of colonial spirits, that was no reason why he should come to Parliament for a reduction of duty; and, taking the thing conversely, he thought the producer in either England, Ireland, or Scotland, had no right to any diminution of the discriminating duty beyond what would be the measure of the duty he paid on malt, independently of the duty he paid on the liquor distilled from malt. As a colonist, he claimed to be on a perfect level with every other British subject, and to be put in possession of the promised benefits of free trade. If fiscal regulations or other hardships pressed on the home producer, let them be removed; but let them not stand in the way of that measure of justice which he, as a British colonist, had a right to expect.

MR. GROGAN contended that the Irish distillers were entitled to some drawback, on account of the heavy burdens imposed on them. It should be recollected that the West Indian producer had this advantage over the Irish distiller—he was permitted to carry on the process of distillation in all its various branches without being subjected to the continual supervision of the Excise, which existed in Ireland. And was there to be no compensation to the home distiller on that ground? With regard to Ireland, the supervision of the Excise acted as a great restraint upon the energies of the distillers. The distilleries previous to the Union were ordered by the Government to be considerably enlarged, in order to facilitate the collection of the revenue, and prevent smuggling as far as possible. And as in Ireland they had been subjected to the vast expense of enlarging their distilleries, in order to meet the views of the Government, he thought that it was not right for parties now to turn round and say that, notwithstanding that, the Irish should be put on the same footing with other distillers. It appeared by the statement of the Chancellor of the Exchequer, that the free-trade measure of last Session, from which they had been induced to expect so much, was not exactly the panacea which it had been described to be. The noble Lord who had introduced this Motion had entered so fully into the merits of the whole case, that he (Mr. Grogan) felt that he should confuse the case if he were to attempt to add to his arguments. He thought that the Chancellor of the Exchequer had not shown a sufficient reason why the protection which this last branch of Irish manufacture enjoyed, should be abolished. All the other branches of trade had been reduced, as it were, into England; and he thought it was but fair for the Irish distillers to ask that their interests should not be disturbed. In support of what had fallen from his hon. Friend the Member for Cork (Mr. Callaghan), he might observe that he knew one instance in which 80 out of 100 gallons of spirits which had been in bond in the Dublin Custom House, had evaporated in the course of four years, and the strength had decreased 25 per cent.

Mr. BOUVERIE considered that in solving the problem before them, they should throw aside altogether the question of national protection. They ought to take care that all the parties interested should have equal and fair play. Now, looking at the proposal and arguments of the right hon. Gentleman, he did not think that, as regarded the larger portion of the Scotch distillers, fair play was going to be allowed. In England, as the law now stood, there was a duty of 8*s.* 10*d.* per gallon upon rum, and that upon home-made spirits was 7*s.* 10*d.*; in Scotland the duty was 3*s.* 8*d.*; and in Ireland, 2*s.* 8*d.* The right hon. Gentleman proposed to reduce the duty on rum in England 3*d.*, and make it only 8*s.* 7*d.*; in Scotland to reduce it one-half, or make it only 4*s.* 5*d.* instead of 7*s.* 10*d.*; and in Ireland to reduce it 1*s.* 5*d.*, so as in each case to preserve a difference between the duty paid upon colonial spirits and that paid upon home-made spirits, of 5*d.* per gallon. Now, he would not enter into the question—because he did not feel himself competent to do so—as to whether a discriminating duty of 6*d.* or 9*d.* was a fair equivalent to the home producer for the difficulties to which he was subjected by the present law; but with regard to the larger proportion of the Scotch distilleries, he wished to call the attention of the House to the following facts: There were two classes of spirits, the raw-grain spirits and the malt spirits. The raw-grain spirits did contain a small portion of malt, which was necessary for the proper fermentation of the liquor. He believed that about an eleventh was the smallest portion necessary for that purpose. But in Scotland the largest portion of the distillation was entirely from malt. The last returns that had been laid before the House showed the amount of spirit made from malt on which duty had been paid. The number of gallons of that class of spirits was 5,368,000; while that of the spirits made from the raw grain was only 1,726,000. Now, the Scotch malt distiller was obliged to pay not only the malt duty upon his spirits, but also the duty which was paid upon the raw-grain spirits. The right hon. Gentleman the Chancellor of the Exchequer had said, "True it is that the Scotch malt distiller pays this duty; but he does it of his own choice, because he prefers to make his spirits from a better article, namely, malt; he gets a better price for his malt spirits in the market, and therefore he gains what he loses by the extra duty." That would be all very well if he had only to compete with dealers in spirits made from the raw grain; but he had to compete with the dealers in rum also, who, if the proposals of the right hon. Gentleman were carried out, would have a superiority over him. They would throw upon the back of the home producer of malt spirits a burden to which the producer of rum was not subject. Scotland stood alone in that respect. In England and Ireland, nearly the whole of the spirits were made, not from the raw grain, but from malt. As, then, the Scotch distillers were in a totally distinct position with respect to this question, he thought that the proposals of the Chancellor of the Exchequer would operate very injuriously towards that country. He had listened attentively to the statements of that right hon. Gentleman; but he must say that he did not hear him adduce sufficient reasons for the proposed alteration as regarded the Scotch distillers. He did not stand up there for the purpose of claiming any right of protection for Scotland; all he wanted was justice for all parties concerned.

Mr. FORBES said, he had always spoken and voted in favour of the just claims of the West Indian colonists. He had no hesitation in saying that they had been harshly treated by this country; and he therefore hoped that his vote, which he intended to give on this occasion in favour of the Motion of the noble Lord the Member for Lynn, might not be wrongly construed. He believed that in voting for this Motion, he would be asking for nothing more than strict justice for the distillers of Great Britain and Ireland. He thought that the noble Lord had made out a fair case for inquiry by a Committee of the House.

MR. MOFFATT thought that there were three sufficient reasons why the Motion of the noble Lord ought not to be agreed to: the first of which reasons was, the extraordinary amount of information which had been supplied from time to time to every Member of the House by parties interested in the question; the second was, the very ample debate which had already taken place on this subject; and the third reason was, that if this question were sent before a Committee up stairs, it would have the effect of entirely deranging the operations of both the home-made and the colonial spirit markets. The operations in those markets had been almost completely stopped during the last six months, as the spirit merchants wished to know how the question was to be settled before they made their purchases. He admitted that the Irish distillers laboured under very serious disadvantages; and he should be glad to see the Irish Members bestir themselves for the purpose of procuring their removal.

MR. BARKLY said, after hearing the Chancellor of the Exchequer, he thought he should do better for all parties by voting with him than for a Committee. The Chancellor of the Exchequer had introduced the measure at the beginning of the Session, as the result of deliberate consideration, though more had, perhaps, been given to the colonies than they had a right to expect. He thought the distillers of this country would act wisely by consenting to abide by the alteration, although the protection they got under it was less than the monopoly they had enjoyed, which amounted to 600,000*l.* per annum bonus in their favour against the colonial distillers. The distillers of this country had always a stronghold of monopoly; and it was not surprising that they should have selected the noble Lord the Member for Lynn as their champion, to represent to the House that the interests of the barley-growers were involved in this question. Admitting the justice of equalising the duties, the question before the House was exceedingly simple; referring it to a Select Committee would only embarrass it. The only question was, what was the amount of direct tax upon the home distiller; and then impose a similar tax upon the colonial distiller. The fairest plan would be, to commute the malt tax for an equivalent tax upon spirits; but this the Chancellor of the Exchequer objected to. The hon. Member entered into various details to show that the statements of the English distillers, as to their grievances, were very much exaggerated. If their allegations were true, they had suffered great injustice, and had suffered in silence; and, if the hon Member for Kilmarnock (Mr. Bouverie) would move for an inquiry, he would support the Motion. But he believed they would hear no more of the grievances of the Scotch distillers. The system of drawbacks, introduced in 1821, to encourage legal distillation in Scotland, had led to much fraud; in 1831, a Committee reported that the drawbacks did give a great opening for fraud in Scotland, and a Bill was introduced for reducing the drawbacks one-half; but still they carried on their trade with profit. In his opinion, the Scotch distillers had no case; and that, like the English distillers, they had drawn largely upon the credulity of the House. Most of the Scotch spirits had been made from malted bere or bigg, and not from barley. The landed interest had no reason to fear any competition with West India spirits, or that Canada was likely to become a manufacturing country for some time to come. There was one consideration which ought to weigh with the landed interest, namely, that the supply of barley of home growth had been for many years quite insufficient for the demand. Since 1840, our annual import of foreign barley had been nearly 500,000 quarters; and in 1844, it exceeded 1,000,000 quarters. So that the competition would be between foreign barley and colonial barley, and not between colonial barley and barley of British growth. At this late period of the Session, and with an expiring Parliament, to refer the matter to a Select Committee would be only shelving the measure altogether. The colonies had not yet had justice done them; and he, for one, accepted the present measure only as an instalment of what was due to the West Indies.

MR. SHAW could not pretend to a perfect acquaintance with the intricate and minute question then under discussion; and he would, therefore, not detain the House at any length. The speeches on both sides would serve to show the difficulty of the House arriving at a just conclusion, whether the right hon. Gentleman the Chancellor of the Exchequer was right in having originally proposed 6*d.*, in then proposing 9*d.*, or the distillers in claiming 1*s.* 6*d.* as the just differential duty. He believed there were not a great many in the House who could even understand the technical terms of "plant" and "decreases," and "back vats" and "worm ends." But all this, as well as the speeches on both sides of the question, ought, he thought, to satisfy the House of the propriety of his noble Friend (Lord G. Bentinck's) Motion, which was not asking them to decide on the precise amount of what should be the differential duty, but only to great a Committee, which would be competent to inquire into, and come to a correct conclusion on, the subject. He would only say, in reference to the speech of the right hon. Gentleman the Chancellor of the Exchequer, that the English distillers altogether denied the authenticity of the paper which the right hon. Gentleman quoted from, as having been put forward by them in 1830; and that the Irish distillers differed essentially in their calculations of their losses, from the figures upon which the right hon. Gentleman relied as an answer to their case. His hon. Friend the Member for Weymouth (Mr. Bernal) said, that the colonist had nothing to do with the fiscal regulations to which the distillers of these countries might be subjected; but surely, if they were not voluntarily submitted to, but that the excise laws imposed upon them an interference with their trade, and restrictions which inflicted a loss that could be easily calculated in money, they were as well entitled to a credit for that loss as the tax upon malt, which his hon. Friend allowed them. Then, the hon. Member for Dartmouth (Mr. Moffatt), although objecting to the Committee, acknowledged that the Irish distillers in particular had grievances to complain of under the existing law. Amongst others, that very unfair distinction between them and the colonists—that while the Irish distiller had to pay the duty upon his Irish spirits before they went into bond, and was not allowed for waste and leakage after, the colonist was only charged upon his rum after all these reductions, when it was actually going into consumption. Upon all those grounds, he contended that the distillers were entitled to a Committee of Inquiry; and, in conclusion, he would make only one general remark, that the distillery trade was one of the most flourishing left to them in Ireland. The plan of the Chancellor of the Exchequer had taken the Irish distillers by surprise. They had not, as the English distillers had, an opportunity of putting forward a statement of their case, for the consideration of the Excise, before the Government made the decision which the present Bill was to carry into effect; and one of the most eminent of the Irish distillers, a friend of his own, and a man of the highest character and honour, assured him that after a large expenditure of capital in the trade, caused principally by the excise regulations, that gentleman had not, for the last few years, realised 5 per cent upon his capital, and that he was convinced the present reduction of the differential duty would be ruinous to the trade, and oblige him and every other solvent man to extricate themselves from it as quickly as they could. He would cordially support the Motion of his noble Friend for a Committee.

Mr. GOULBURN was anxious to express the opinion he entertained upon this question. The Chancellor of the Exchequer had to a great extent anticipated the arguments he meant to use; but as he had formerly taken an active part in such questions, and as he had from previous position some acquaintance with these matters, he would for a short time intrude upon the attention of the House. The noble Lord who made this Motion proposed that, instead of a discussion of this Bill in a Committee of the whole House, it should be referred to a Select Committee up stairs. He thought the noble Lord had made that Motion under a misapprehension, for before such a Committee the noble Lord would not be at liberty to examine witnesses on the points of detail to which he had adverted. The forms of the House would not permit such a course; and the noble Lord would therefore fail in his proposed object of obtaining accurate information. He agreed with the Chancellor of the Exchequer that there was, in point of fact, no subject connected with this question to be inquired into which was not already known. Committees on every subject connected with distilling had repeatedly, and even recently, sat and reported. Papers had been circulated, containing all the requisite information derived from parties taking opposite views, and each consulting their peculiar interests; and Members, therefore, had abundant means of forming a judgment as to the course which ought to be adopted. But he must be a very young Member of the House who did not know what was the real meaning and effect of referring a question such as this to a Select Committee. It was to defer indefinitely, if not altogether to defeat, the progress of a measure. In this instance, it would be no other than to defeat the proposed change of duty during the present Session, and leave the matter in uncertainty for another year, unsettling the minds of all who had an interest in these commodities, and causing great embarrassment to all engaged in the spirit trade. The noble Lord went into laborious detail, in order to show how the change would affect the distillers in England, Ireland, and Scotland; and other hon. Members had started various objections to the proposed change. Into these questions of detail he would not enter. They had been fully discussed by the Chancellor of the Exchequer. But he would advert to the progress of the trade, and to the measures which had been passed affecting it, during the last twenty years, as proof of the futility of the objection started to this measure. From May, 1824, until January, 1826, there was no nominal distinction of duty between that which was charged upon British spirits, and that charged upon rum. There was only this difference—that the same duty was charged upon rum at proof, and upon British spirits at seven per cent above proof, the difference in favour of British spirits amounting on the whole to something short of 11*d.* In 1826, a new excise law having come into operation, Mr. Robinson thought it necessary to make an alteration of the duties on British and Colonial spirits. He fixed the differential duty at 1*s.* 6*d.*, which amount was thus made up: on account of the taxation upon corn 1*s.* 1*d.*, on account of the malt duty 1½*d.*; and on account of the restrictions by the Excise 3½*d.* With that arrangement the distillers expressed themselves perfectly satisfied; and they might assume, therefore, that 1*s.* 6*d.* was then a sufficient protection. That was at a time when the corn law of 1815 was in operation —a law which pressed more upon the consumer of corn than any law that had existed at any subsequent period. If the noble Lord would deduct from that duty of 1*s.* 6*d.* the 1*s.* 1*d.* then charged on account of the high duty on corn, then it was impossible for him to admit that the real differential duty between colonial and British spirit was, at this moment, at an exceedingly low figure. He could not agree with those who supposed that the approximation of the duties on these two descriptions of spirit would inflict a serious injury on the distillers of this country. For if at the period to which he had referred—a period when the West India planters had full power of employing slave-labour, whereas now they were under great difficulties in obtaining labour of any kind—it should appear that the quantity of rum introduced into this country did not increase, and that the British distillers still kept their hold on the market, then there could be no just ground for alarm that the differential duty now proposed could be a real injury to the distillers in any part of the kingdom. It was a fact that the consumption of British spirits was doubled during the year when there was only a small differential duty. In the year 1830, when he held the office of Chancellor of the Exchequer, he announced a measure for the purpose of reducing the differential duty from 1*s.* 6*d.* to 1*s.*; but the change which then took place in the Administration caused that measure to be laid aside. But the statement of the case of the distillers was at that period fully before the Government; and, according to their own calculations, the extent of the burden imposed on them by reason of the then existing corn laws, the corn law having been altered in 1829, was 9½*d.* on the gallon of spirits. Now, these duties on corn had since been repealed: it therefore followed as a matter of course that this 9½*d.* at least ought, at the present moment, to be deducted from the 1*s.* 6*d.* differential duty which the distillers claimed on the importation of rum. By their own showing, the differential duty ought to be no more than 8½*d.* at the utmost. What then was the case? The distillers had actually been enjoying an advantage far beyond what was an adequate compensation for the charges which they complained of being made subject to by the excise laws and duties on corn. He entirely agreed with the Chancellor of the Exchequer that a differential duty of 6*d.* would more than cover all the burdens to which the British distillers were subjected; but the right hon. Baronet had agreed to make the difference of duty 9*d.* instead of 6*d.* If strict justice were done in the case, 6*d.* duty would be the utmost the distillers could claim; but the Chancellor of the Exchequer was dealing with an interest which had for a long time been highly and unduly protected; and this was true, not merely with respect to the English distiller, with whom the colonial producer did compete in the market, but also with the Irish and Scotch distillers, who had been for years enjoying a prohibitory duty on rum, which gave them a monopoly. There was, therefore, in his opinion, a good reason for dealing tenderly with interests thus peculiarly circumstanced, and for giving them, for a time, while returning to a sounder system of policy, an advantage beyond what the strict justice of the case required. The right hon. and learned Gentleman the Member for the University of Dublin (Mr. Shaw) had told them that with all their existing advantages from monopoly, the Irish distillers could not make 5 per cent of their capital invested. When it was known that in this country, where there was not a monopoly, gentlemen engaged in that description of commercial undertaking realized much larger profits, he could not but suppose that were the Irish distillers to compete upon fair terms with their English, Scotch, and colonial opponents, they would be able to realize a much larger sum than that which the hon. and learned Gentleman had stated as their present profits. It was at least for their sakes worth while to make the experiment. He did not think it necessary, after the able speech of the Chancellor of the Exchequer, to allude to the question as it applied to England; but with respect to Ireland he begged to say, in reference to what had fallen from the right hon. and learned Gentleman the Member for the University of Dublin, and from the hon. Member for Cork (Mr. Callaghan), that in the year 1830, when the subject was under his consideration, and when the Irish distillers were anxious for a continuation of high duties upon colonial produce, a petition was presented in their behalf by Mr. Pierce Mahony, in which they stated that they were ready to compete with any manufacturers of spirits, domestic or colonial, but that, in order to enable them to do so, they must have the principle of free trade applied to all. If this were extended to them, they were ready to compete; but if it were not, they would be compelled to ask for those protections which other interests enjoyed. If they could make spirits from corn on equal terms with other countries, they expressed themselves quite ready to enter into competition with the manufacturers of any other country. This was highly creditable to them; but what was their present opposition? if they made a correct statement then, they had no claim for an allowance now; and if their statement was not sincere, and only made with a view to mislead and impose upon the Government of the day, their statements now must be regarded with very considerable suspicion. Then as to the case of Scotland, which had been asserted to be different from that of either England or Ireland, because the Scotch distiller distilled mainly from malt, and paid a duty on malt, of which only one-half was paid back. Now, although 1*s.* 4*d.* was stated as the amount due to the Scotch distiller for the malt he used, he (Mr. Goulburn) had some doubts whether that was a just calculation, because he knew that in Scotland, as in Ireland also, there was a kind of malt made from bere, or bigg, which was introduced into the making of spirits, which paid a less duty than malt made from barley. But setting this aside, if the Scotch distiller had an argument against the introduction of rum at the proposed duty, he had a still stronger argument against the introduction of raw corn spirits into consumption at the present rate of duty. For the corn spirit and malt spirit were charged with the same duty; but the malt spirit competed successfully with that from corn. If therefore the duty on rum was regulated by that on the corn spirits of this country, rum could not interfere with the consumption of the malt spirit; 2,000,000 gallons of malt spirits were annually sent into this country from Scotland, and here they came into that very competition with rum which they professed so much to dread. The Chancellor of the Exchequer had correctly observed how little ground there was for apprehension that an importation of 2,500,000 gallons of colonial spirits could produce any material effect on a consumption of 24,000,000 gallons of home-made spirits. Great stress had been laid on the effect of the excise regulations. He considered the injury resulting from them to be greatly exaggerated. He did not think it possible to form a very accurate pecuniary estimate of the effect of such regulations. In fact, he believed that nothing in general could be more idle than to attempt an estimate of the pecuniary effect of regulations affecting trade. All trades ought to be placed as nearly as possible upon an equality; and he thought that if rum was bonded, British spirit might be bonded also. The right to bond spirits, however, had been offered some years ago to the British distillers, and they unanimously refused it; and they were not, he thought, entitled now to claim compensation for the want of that which they had refused formerly. That these restrictions were no great detriment to the trade, was shown by the fact that 9,000,000 of gallons were brought to charge the year before these restrictions were imposed; the year following, the quantity brought to charge mount-ed up to 15,000,000 gallons. But it was the case with all trades, that they over-estimated the effect of the regulations to which they were subject, and entertained apprehensions beyond all bounds on the eve of changes in the arrangements of customs duties. He was persuaded, however, that the reduction proposed by the Chancellor of the Exchequer, so far from injuring the British distiller, was likely to afford him, for some time, a larger protection than the justice of the case required. He should support the proposition of the Government.

MR. M. J. O'CONNELL thought that a *primâ facie* case had been made out as regarded the injury that would be done to the British distiller; and this case might be fully established if a Select Committee were appointed. The right hon. Gentleman had certainly made out a case which it would be extremely difficult for him to answer; but he felt satisfied that the effect of the excise restrictions had been greatly underrated by the right hon. Chancellor of the Exchequer. The hon. and learned Gentleman (Mr. Bernal) had stated that they had nothing to do with countervaling duties. The distillers, however, said that these restrictions were of such a vexatious character, that they imposed burdens as great as direct taxation. His hon. Friend said, that if these restrictions were felt severely, application should be made to the Chancellor of the Exchequer to take them off; but he neither would nor could do so. It had been proved that before the imposition of these restrictions, great quantities of spirits were received which were never brought to charge. For his own part, he believed that such restrictions were necessary, if they continued such large duties. There was one restriction which fell with peculiar severity on the British distiller—he meant their being prevented using molasses and the coarse residuum of sugar, which made a difference of 8¼*d.* a gallon in favour of the colonial producer of spirits. This was a matter into which inquiry should be made; and although some inconvenience might arise by referring the subject to a Committee up stairs, still this would be better than at once going into the matter in a Committee of the whole House. These distillers had been induced to embark their capital on the faith of Parliament, and they alleged that they would be seriously injured by the adoption of this plan; therefore a case had been made out for inquiry.

MR. DISRAELI: The right hon. Gentleman the Chancellor of the Exchequer, after dilating on the blessings of free trade, and intimating to the House that he was as strong an adversary of protection as heretofore, in preparing us for the reduction of that moderate differential duty which he came down to discuss to-night, terminated his exordium by announcing that the Government had resolved to increase that duty against their conviction. The right hon. Gentleman then proceeded to prove in a manner very elaborate, and with the satisfactory character of which I am not prepared to quarrel, since it was opposed to the result at which the right hon. Gentleman had himself arrived—the right hon. Gentleman entered into the items which formed the data of the conclusion he had drawn; and had it not been for his having done so, it would have been very difficult to have perceived why the Government, having resolved on a differential duty of 6*d.*, ultimately determined to adopt a differential duty of 9*d.*; though it would be easy to perceive why they should adopt the proposition of my noble Friend. But I think the right hon. Gentleman has proved—and, following up the argument with which he has favoured us, I think I shall be able to show the House, if it is not already convinced, that he ought not to stop short at 9*d.* In walking from Downing-street, and changing his mind from a differential duty of 6*d.* to 3*d.* more, the more logical course for the Chancellor of the Exchequer to have pursued was to enter the House, and either prevent or terminate the discussion by announcing that it was not the intention of the Government to disturb an arrangement which the House had made at the end of the Session of last year. I agree with the right hon. Gentleman, that in the present case the principles of protection are not in any degree to be made a part of the argument. I take it for granted that the real fair question is—"Is it possible with your present excise system to permit free competition in this country?" I think it is partly agreed by all the Gentlemen who have spoken that with your present excise system, it is not possible to admit free competition in this country; and therefore I will not speak of the right of conceding protection, but of giving competent compensation to those traders who are suffering by your excise system—who are, in fact, collectors of the revenue to which they contribute. The question is, "What is the degree of compensation which they are to receive from the commercial legislation of this country in consequence of fulfilling that peculiar office—an office which no trader in any other country fills?" Remembering the law of last year—remembering the admissions made throughout this debate by every Gentleman who has spoken, even by those free-traders, like the hon. Gentleman the Member for Leominster, who seems to be one of the most fervent champions of emancipated commerce—every hon. Gentleman, without a single exception, agrees that this compensation should be awarded. The difference between the noble Lord who asks for the Committee up stairs and the Government, is only a difference of 3*d.*, and not of 6*d.*. as we anticipated when we entered the House. Now, what is the just figure that we should fix upon as the amount of compensation to the English trader on account of the excise? Looking to the right hon. Gentleman the Member for the University of Cambridge, as a great authority, from his experience and official knowledge, and the excellent speeches which I have heard from his lips on this question, he would be the very first person that I would select, under existing circumstances, as an excellent mediator on this subject. And, fortunately, we have an Act that has been very recently passed in this House—though not so recently as the one the Government would unsettle—regulating the question with the Channel Islands; an Act which, if not drawn up, was at least sanctioned by the right hon. Gentleman. It is there laid down that the differential duty should be 1*s.* 2*d.* That is a great fact. It is a great fact that the right hon. Gentleman very recently—not in the heat of a debate on a party question—for the isle of Sark has never yet been a party question—but in a Bill regulating the trade with the Channel Islands with respect to this question—the right hon. Gentleman has fixed the fair compensation for the British distiller at 1*s.* 2*d.* The right hon. Gentleman may tell me that the settlement now proposed was suggested by the distillers themselves in 1830. At a meeting with some of the principal distillers referred to by the right hon. Gentleman opposite (Sir C. Wood), repeated by the right hon. Gentleman the Member for the University, and certainly the same meeting, because I asked both of those right hon. Gentleman the date of the meeting, and both gave 1830—at that meeting it has been said that the distillers themselves fixed what they considered their just compensation at 1*s.* 6*d.*, and acknowledged that 9*d.* of that 1*s.* 6*d.* was on account of the then, but no longer, existing duty on barley. Now, that has been adduced by both these right hon. Gentlemen with considerable effect. Now, Sir, here is a Chancellor of the Exchequer receiving a deputation from the distillers, that deputation consisting of three of the most considerable individuals of the body, and at a period long subsequent referring, in this debate, to their opinion—an opinion which had been consigned to writing—an opinion which is to be found in the pigeon-hole to which the right hon. Gentleman's successor can refer. That opinion has been brought forward, and, if authentic, I admit it ought to have great weight with this House. But let the House recollect the circumstances of the case, as stated by both those right hon. Gentlemen. That deputation in question consisted of three of the most considerable members of that body. Their opinion, we are told, was reduced to writing; and that opinion was, that the proper compensation for the excise restrictions is 1*s.* 6*d.*, and one-half of that sum was founded on the then existing duties on barley. The distillers do not deny that such a paper is in existence as that referred to, though no living distiller has seen it; but they say that the paper was not written by them, or in their presence; but, on the contrary, it was drawn up after they had retired—and never was submitted to them—by three excise officers who were present. So that these three innocent distillers were turned into three excisemen—the romance of the three virgins turned into three dragons was not more complete. One of the gentlemen is alive, and though turned of 80, and resident at Brighton, is ready to give evidence before my noble Friend's proposed Committee. I protest, therefore, against a paper drawn up under such circumstances being brought forward after a lapse of seventeen years as the opinion of the deputation. One of them, I am aware, gave some of his loose notes to the Mimister; but his Colleagues never saw them, and could not be bound by them. I now come to the question of rectification—the other great point urged by the Chancellor of the Exchequer. I understood him to say, that the only compensation to which the English distillers was entitled was the value of the English malt used by the Irish distiller.

I cannot see how that view meets the case, as the question is what is the injury suffered by the English distiller? The right hon. Gentleman admitted the accuracy of the statements of my noble Friend the Member for Lynn, with the exception of the duty on decreases, and the additional cost of rectification. My noble Friend had stated the duty on the decreases at 3½*d.* per gallon, and the additional cost of rectification at 3*d.* Now, in the year ending January, 1846, on 9,300 gallons of foreign geneva, the decrease had been 1,280 gallons, or from 12 to 13 per cent; and with respect to rectification, the law requires it to be done at a distance of a quarter of a mile from the distillery; the rectification entails an increase of 6*d.* a gallon, of which 3*d.* would under other circumstances be necessary; and the loss of the other 3*d.*, occasioned by the law, was the measure of compensation which the distiller ought to receive. Then it is objected that the time is too late, Easter not having yet arrived; but then after Easter there is to be a dissolution. This cry of wolf is often raised. I hope, however, when the fatal hour arrives, we shall all be prepared for it, and we shall not stand worse with the country for having in the meantime devoted ourselves to this inquiry. It is a very limited question, and a Committee might soon come to a result. My noble Friend the Member for Lynn apologized for introducing so dry a subject to the notice of the House; he said, that this was a question of pence and farthings. And what is the question? It consists of some five or six items—the greatest amount being 1*s.* 1½*d.*, the intermediate amount 6*d.*, and the amount recommended by the Government being 9*d.* And we are told that a Select Committee could not call sufficient evidence in the course of a fortnight. Why, I venture to say, that if the Committee met every day, they could bring in their report at the end of a week. The right hon. Gentleman the Member for the University, who has such an objection to committees, but who, by the by, voted for the Committee on the Navigation Laws, asks, "What is the Committee to prove? can it give us a report before Easter?" The right hon. Gentleman has given us the result of a deputation of Irish distillers, which, he said, waited on him when he was in office—I think, under the Administration of Lord Liverpool. They rested their case upon what, in those days, was called protection—they rested their case on the corn laws. According to the statement of the right hon. Gentleman, the duty was 1*s.* per gallon, which would make the duty on barley to be equal to 20*s.* per quarter. Well, Sir, here are the average prices of barley at the time. I take the average of a number of years. The right hon. Gentleman tells us of a particular year; I rather suspect that I have found out the particular year to which he referred. The average price of barley between 1824 and 1829 was 25*s.* 9*d.* and a fraction; and in 1822, the year I suspect, it was 21*s.* 10*d.* If, then, the statement of the right hon. Gentleman be correct, the duty which made the difference of 1*s.* a gallon, would be 20*s.* a quarter, leaving the price of the barley itself only at 5*s.* 9*d.*, or in the year 1822, at 1*s.* 10*d.*; whilst, according to the statement of another right hon. Gentleman, who has filled the same office, the price of barley in 1830 must have been only 16*s.* 7*d.* We have heard sometimes of agricultural distress, and have listened in this House to many prophecies of low prices; but these statements of the two right hon. Gentlemen paint a state of trade never yet conceived—barley selling at a remunerative price, according to a Chancellor of the Exchequer, of 1*s.* 10*d.* per quarter! This shows how easily statements are made by men of great position. They get up with documents from the dusty ages of 1830, and every one feels how impossible it is to contend against men of such experience, who had access to those important archives, and who were masters of the price of barley for every year in the last century. Why, what a vast embroglio of mistakes are all those splendid statistics which each right hon. Gentleman addressing the other across the Table has said were unanswerable! Here we have the late Chancellor of the Exchequer, who states to the House that in the year 1821, barley was selling for 1*s.* 10*d.* per quarter; and here we have another Chancellor of the Exchequer—a real Chancellor of the Exchequer—who proves to the House that barley, in 1830, was selling at 16*s.* 7*d.* per quarter; and the question is to be decided upon these statements! I ask the House, whether they ought to attend to them? The question for us to decide, is one which at first may not appear of vast importance. It is very possible you may not have had meetings throughout England to advocate the interests of this body; but it is a legitimate and a most important commercial question; it concerns the interests of men of established and honourably acquired wealth—an important class in the country. They come to you, and they ask you for nothing but an inquiry. If they asked for a favour, I could easily understand that a Minister would say, "Don't let us disturb that which is established. What you ask may be right; but you wish to disturb that which is settled: you had better rest as you are; we cannot attend to you." But think of what freaks you have already made with the commercial industry of England. You have already interfered as far as you possibly could with the commercial interests of the country. Only last year there was a considerable settlement of these questions. After we had discussed one of the most important questions connected with the commerce of this country that ever was submitted to the consideration of this House—after it had been settled—after other questions which never could have been settled except that first great settlement had been brought forward, I do not say hastily, I won't say hastily and hurriedly; but certainly in a manner which could not have been anticipated at any other time—after the corn and after the sugar question, you take the question of the distillers, before any opportunity is allowed for even criticising the vast interference which you propose to make with the affairs of a very important and respectable body of men. You do not give them breathing time. These men are taken by surprise, and they complain of that. They have made up their minds as Englishmen to do the best they can with their lot. They ask you to investigate the case which they will present to you if a Committee is granted; they ask you to inquire into the course of legislation proposed by the Chancellor of the Exchequer, who, I must say, has come down to the House with his mind little matured upon the subject. I do not mean to say that he is incapable of dealing with the question—I should be the last man to question his general competence; but as crude and undigested a statement as that made by the right hon. Gentleman I never heard. He comes down to the House, and, without showing you any reason, asks you at once to accede to his proposition. Before we can say a word, he rises and says, "I change my mind; I am going to make another proposition, I am going to give you half of what you ask for." Why, I should have had more respect for the Minister if he had adhered to his original proposition. I should have had more confidence in him if he had resolutely opposed the Motion. I cannot put much confidence in a Minister who accedes to a proposed change before his original proposition was scarcely uttered. I should have had more confidence in him if he had abided by his original plan. Well, Sir, I hope the House will fairly consider the question which has been brought before us. We are asking for nothing but an inquiry into the effects of the change of the law with regard to this important body of men a few months ago. You have not before you sufficient evidence to enable you to deliberate fully upon the question. Don't you think, then, it would be only just to the distillers — do not you think it to be but a matter of prudence—that before we tamper again with their interests, we should at least make ourselves masters of the facts, and at least inquire before we decide?

Mr. CARDWELL said, they were not now in Committee, discussing the details of this Bill. The question now before them was a proposal to depart from the ordinary course of their commercial legislation, and to refer those details to an inquiry elsewhere. That proposal, if it rested on any grounds at all, must be founded upon one of those two propositions. Either there must be some party who, having a right to demand such an inquiry, did demand it: or there must be some facts so much involved in dispute and doubt that the regular course of their proceedings did not furnish them with the means of arriving at a satisfactory solution. Now on which of these propositions was the present case to rest? Was there any party who, having a right to demand inquiry, did demand it? The colonist did not ask it: the Motion was confessedly made on the part of the distiller. Had the distiller any right to make it? The hon. Member who spoke last was naturally anxious to escape the force of those very inconvenient documents to which his right hon. Friend the Member for the University of Cambridge had referred. He spoke of official legerdemain, of papers produced from pigeon-holes; and went on with admirable ingenuity, and much to the amusement of the House, to suggest that a memorial which professed to contain the case of the distillers, had in point of fact been drawn up not by two distillers, but by two excisemen. Now he (Mr. Cardwell) held in his hand the original document itself. It bore about it no marks of having proceeded from an exciseman.

It was dated Wandsworth. It was signed "John Atlee." Now, did or did not the written documents put the distillers out of court? The first was their petition, in which they claim to stand upon the settlement made by Mr. Robinson in 1825. That settlement gave them 1*s.* 6*d.* The Corn Bill, not of 1828, but the more stringent Corn Bill of 1815 was then in operation. He did not know where the hon. Member for Shrewsbury obtained those figures, which with non-official legerdemain he had paraded before the House. But he knew that Mr. Atlee had taken the actual prices of that very year to which the hon. Member had referred, the year 1830. He would not trouble the House by reading the whole document. He should be happy to hand it over to the hon. Member for Shrewsbury, who might amuse himself at his leisure by contrasting Mr. Atlee's actual figures with his own conjectural ones. The conclusion only was that with which he (Mr. Cardwell) was concerned. Mr. Atlee's conclusion was that to the corn law of 1828 was due no less than 9½*d.* Well, the original settlement was 1*s.* 6*d.*: of this 9½*d.* was due to the corn law. The Chancellor of the Exchequer left the distiller 9*d.*, now that the corn law was repealed! But the hon. Member for Shrewsbury was not satisfied with the authority of Mr. Atlee. He objected to a private letter; and he observed that Mr. Atlee was now in the decline of life, and had ceased to take an active share in business. Yes, but in 1830 Mr. Atlee was in the prime of life—the chosen organ of the distillers—authorized by them to correspond with the Chancellor of the Exchequer. But he (Mr. Cardwell) would not disappoint, even in these particulars, the wishes of the hon. Member. He now held in his hand another document—of a public character—printed—bearing the marks with which they were all familiar. It was a circular of 1830, resembling those which had that morning been sent round to Members. It was indorsed "P. and D. Mahony, for the Irish Distillers." Now, Mr. Pierce Mahony still fulfilled all the requirements of the hon. Member. He was still in the prime of life; still engaged in business; and, unless he (Mr. Cardwell) was very much misinformed, he was as active now as he was in 1830 in conducting the Parliamentary case of the Irish distillers. And what said Mr. Pierce Mahony? Why, that his clients the distillers sought no exclusive advantage: they were ready to compete on equal terms with all the world: they only asked to retain the 1*s.* 6*d.* in consideration of the disadvantages under which they were placed; and of these disadvantages they estimated the corn law at 1*s.* If these statements of the distillers were worth anything in 1830, they must be taken at the same valuation now. The upshot of their story was, they stood upon the 1*s.* 6*d.* given them by the settlement of 1825: they estimated at 1*s.* or at 9½*d.* that part which was due to the corn law. The corn law was repealed, and the Chancellor of the Exchequer left them 9*d.* So much for the grievance of the distillers. Well, then, for the second proposition. Were there any facts involved in doubt? One thing at least was clear: that the distillers had been giving the noble Lord a vast amount of information. There was one point, however, on which they were particularly conversant, and on which he regretted to perceive that they had not thought it necessary to illumine the noble Lord—he meant the difference between proof and overproof. They might have rendered the noble Lord an essential service if they had guarded him against that worst fault of an advocate, the carrying your statement so far beyond the limits of reason, that its refutation is evident upon its face. The distillers stood upon 1*s.* 6*d.*, including what was due to the corn law. The noble Lord had carried his claim so far, as even in one of his calculations to arrive at 1*s.* 7¼*d.* now that the corn law was repealed. [Lord G. BENTINCK here said he had been misunderstood.] Well, but he had not misunderstood the noble Lord in supposing him to claim for the distillers an allowance of 6*d.* a gallon, in consideration of the restrictions imposed upon their manufacture by the Excise Department. But what said the distillers themselves? The Chancellor of the Exchequer had read their own statement that 6*d.* a gallon covered the whole cost of their manufacture, with these restrictions of the excise included. What single fact of the case, then, was unknown to the House, and required to be referred to a Committee? It was true he could not say the exact value of these excise restrictions would be appreciated by the House; but neither could they by a Committee—for they were not in their nature capable of accurate appreciation. The elements of the calculation were known to both sides: the Chancellor of the Exchequer had stated them officially to the House. It was for the House itself to deal with them.

Then they knew the amount of the malt tax: they knew how many gallons of whisky went to a quarter of malt: they knew what proportion of the whole amount of spirits distilled came under the title of malt spirits. Then as to the wasteage. The Chancellor of the Exchequer thought the allowance on this score should be calculated upon the actual wasteage of malt spirits. The hon. Member for Shrewsbury had a fancy that the wasteage upon whisky should be calculated according to the leakage upon rum. Well, if this fancy deserved discussion, the House was the place to discuss it. So far as fact was concerned, the actual wasteage of whisky, and the actual wasteage of rum, both were known. Every necessary fact was officially before the House. Well, but it was the duty of the House to regulate the commercial legislation of the country. That was the responsibility under which they stood, and from which they could not be relieved. Both sides—both the colonist and the distiller—had a right to come to them and say, "Our trade is paralysed by delay: you are the Imperial Legislature: you have the facts before you: discharge your functions according to your judgment: set this question finally at rest. We, on our part, confiding in the justice and in the wisdom of Parliament, shall be satisfied with your decision: relieved from the oppression which delay and doubt occasion, we, by our own industry and our own exertion, shall proceed to do all that the energy and opportunity of each shall enable us respectively to attain."

Lord J. MANNERS wished, in a few sentences, to reply to the hon. Gentleman. He said, that no case had been made out for departing from the ordinary course of commercial legislation; and he proceeded to infer what he (Lord J. Manners) denied, that referring the question to a Committee up stairs was departing from that course. Indeed, so far from such being the case, there was nothing more common in questions of difficulty and complexity than to refer them to a Select Committee—in fact, it was one of the great purposes of such bodies. For where could any subject be more calmly discussed, more fully considered, and more completely investigated, than by such a tribunal? The hon. Gentleman added, with singular boldness, that there was no need for a Committee, because none of the facts were disputed. Why, that was so far from being the case, that almost every Member who spoke upon the question, and entered into details, differed upon the facts. There had been difference upon the "decrease"—the extent to which the restrictions affected the manufacturers—and numerous other matters essential to be known, in order to arrive at a just conclusion. From what he could learn, the distillers and Excise were entirely at variance upon several heads? But suppose they were agreed, had not the House a right to be informed upon them; at least, ought not the House to know something of them before they proceeded to legislate? But the main argument of the hon. Gentleman was, that reference to a Committee would unsettle the question, and disquiet and disturb men's minds. He wished to know, would the course proposed by the Chancellor of the Exchequer give quiet and settlement? Quite the reverse; and it was precisely because he wished to see the question finally set at rest, which could only be done by legislating with a full knowledge of the facts, instead of in darkness and by guess work, that he voted for the Motion of his noble Friend. Several hon. Members who had addressed the House had expressed their fears that the question would not be now adjusted. The hon. Member for Weymouth (Mr. Bernal) had given a most important warning to the House on behalf of the West Indian interests, with which he was thoroughly acquainted. He said that he would be no party to such a compromise—that he would not accede to such a settlement. The hon. Member for Leominster (Mr. Barkly) said, that the interest with which he was connected, so far from being contented, intended to agitate after this "settlement;" and ended his speech with saying that the only reason that induced him not to vote for the Motion of his noble Friend was, that he accepted this offer from the Chancellor of the Exchequer as an instalment. But yet the hon. Member based his argument upon the assumption that this was a settlement of the question. Supposing that the English, Scotch, and Irish distillers consented to the measure, which they did not, still they must not quite forget their fellow-subjects in the colonies—they must not quite overlook their interests. Again, it was not by any means clear from what had transpired, that the Members of the Government themselves would accept of this as a final settlement. After the speech of the right hon. Gentleman the Chancellor of the Exchequer, he would not be at all surprised to see him in the new Parliament, or even during the present Session, coming down to propose another alteration in these duties. It was therefore no more than a common act of justice and prudence to accede to the Motion of his noble Friend, to which he gave his hearty concurrence. He would not have troubled the House but for the very confident manner in which the hon. Gentleman the Member for Clitheroe had argued against the Motion upon two grounds, which so far from being as he had stated them to be, were the very reverse, for there was a demand for inquiry, and there was not that completeness of information which would enable the House to legislate finally and permanently, where permanent legislation was so desirable.

The House divided on the Question that the words proposed to be left out stand part of the Question:—Ayes 185; Noes 68: Majority 117.

List of the AYES.

Acheson, Visct.
Acland, T. D.
Adderley, C. B.
Aglionby, H. A.
Ainsworth, P.
Aldam, W.
Antrobus, E.
Archbold, R.
Arundel and Surrey, Earl of
Austen, Col.
Baillie, Col.
Baine, W.
Bannerman, A.
Barclay, D.
Barkly, H.
Baring, rt. hon. F. T.
Barnard, E. G.
Barrington, Visct.
Barron, Sir H. W.
Bellew, R. M.
Benbow, J.
Berkeley, hon. C.
Berkeley, hon. Capt.
Bernal, R.
Bodkin, J. J.
Botfield, B.
Bowring, Dr.
Bright, J.
Brotherton, J.
Buller, C.
Buller, E.
Busfeild, W.
Byng, rt. hon. G. S.
Cardwell, E.
Carew, W. H. P.
Cavendish, hon. C. C.
Chichester, Lord J. L.
Christie, W. D.
Clay, Sir W.
Clerk, rt. hon. Sir G.
Colebrooke, Sir T. E.
Courtenay, Lord
Cowper, hon. W. F.
Crawford, W. S.
Cripps, W.
Dalmeny, Lord
Dawson, hon. T. V.
Deedes, W.
Dennistoun, J.
Dickinson, F. H.
Dodd, G.
Douglas, Sir H.
Douglas, J. D. S.
Drax, J. S. W.
Duckworth, Sir J. T. B.
Duke, Sir J.
Duncan, G.
Duncombe, T.
Dundas, Adm.
Dundas, F.
Dundas, Sir D.
Dundas, hon. J. C.
Ellice, rt. hon. E.
Ellice, E.
Entwisle, W.
Escott, B.
Evans, W.
Fielden, J.
Fitzwilliam, hon. G. W.
Forster, M.
Fox, C. R.
Gill, T.
Gisborne, T.
Gladstone, Capt.
Gore, hon. R.
Goulburn, rt. hon. H.
Greene, T.
Grey, rt. hon. Sir G.
Grosvenor, Lord R.
Hall, Sir B.
Hamilton, W. J.
Hastie, A.
Hawes, B.
Heneage, E.
Hobhouse, rt. hn. Sir J.
Hogg, Sir J. W.
Hollond, R.
Holmes, hon. W. A.
Hope, Sir J.
Hope, G. W.
Hoskins, K.
Howard, hn. C. W. G.
Howard, P. H.
Howard, Sir R.
Hume, J.
Humphery, Ald.
Hutt, W.
Inglis, Sir R. H.
James, W.
James, Sir W. C.
Jervis, Sir J.
Labouchere, rt. hn. H.
Langston, J. H.
Layard, Maj.
Le Marchant, Sir D.
Lincoln, Earl of
Lindsay, Col.
Loch, J.
Macaulay, rt. hn. T. B.
Mackinnon, W. A.
M'Donnell, J. M.
Mangles, R. D.
Marshall, W.
Martin, J.
Masterman, J.
Maule, rt. hon. F.
Mitchell, T. A.
Moffatt, G.
Monahan, J. H.
Morpeth, Visct.
Morris, D.
Mostyn, hon. E. M. L.
Mure, Col.
Napier, Sir C.
Neville, R.
O'Conor Don
Ogle, S. C. H.
Ord, W.
Oswald, J.
Owen, Sir J.
Paget, Col.
Paget, Lord A.
Pechell, Capt.
Peel, rt. hon. Sir R.
Perfect, R.
Philips, G. R.
Philipps, Sir R. B. P.
Plumridge, Capt.
Polhill, F.
Ponsonby, hn. C. F. A. C.
Price, Sir R.
Protheroe, E. D.
Pusey, P.
Rawdon, Col.
Reid, Sir J. R.
Reid, Col.
Ricardo, J. L.
Rice, E. R.
Rich, H.
Romilly, J.
Ross, D. R.
Rumbold, C. E.
Russell, Lord J.
Russell, Lord E.
Sandon, Visct.
Scrope, G. P.
Sheil, rt. hon. R. L.
Sheridan, R. B.
Smith, B.
Smith, J. A.
Smith, rt. hon. R. V.
Somerset, Lord G.
Somerville, Sir W. M.
Stansfield, W. R.
Staunton, Sir G. T.
Stewart, J.
Stuart, W. V.
Strutt, rt. hon. E.
Tancred, H. W.
Thornely, T.
Towneley, J.
Trelawny, J. S.
Troubridge, Sir E. T.
Turner, E.
Vane, Lord H.
Villiers, hon. C.
Villiers, Visct.
Wall, C. B.
Warburton, H.
Ward, H. G.
Wawn, J. T.
Williams, W.
Wood, rt. hon. Sir C.
Wyse, T.
Young, J.

TELLERS.
Tufnell, H.
Craig, G.

List of the NOES.

Alford, Visct.
Arkwright, G.
Baillie, W.
Balfour, J. M.
Bateson, T.
Bentinck, Lord G.
Bentinck, Lord H.
Broadley, H.
Broadwood, H.
Buck, L. W.
Buller, Sir J. Y.
Callaghan, D.
Clifton, J. T.
Cole, hon. H. A.
Disraeli, B.
Duff, J.
Egerton, Sir P.
Fellowes, E.
Finch, G.
Forbes, W.
Fuller, A. E.
Gaskell, J. M.
Gordon, hon. Capt.
Gore, W. R. O.
Grogan, E.
Hamilton, G. A.
Harris, hon. Capt.
Henley, J. W.
Hildyard, T. B. T.
Hinde, J. H.
Hodgson, F.
Hodgson, R.
Johnstone, H.
Jolliffe, Sir W. G. H.
Jones, Capt.
Knight, F. W.
Law, hon. C. E.
Lockhart, W.
Mackenzie, T.
Macnamara, Maj.

M'Carthy, A.
Manners, Lord J.
March, Earl of
Marton, G.
Maxwell, hon. J. P.
Morgan, O.
Mundy, E. M.
Newry, Visct.
O'Brien, C.
O'Brien, W. S.
O'Connell, M. J.
O'Connell, J.
Oswald, A.
Packe, C. W.
Palmer, R.
Rendlesham, Lord
Repton, G. W. J.
Shaw, rt. hon. F.
Sibthorp, Col.
Smollett, A.
Stuart, Lord J.
Stuart, J.
Thompson, Ald.
Trollope, Sir J.
Walsh, Sir J. B.
Wodehouse, E.
Worcester, Marq. of
Yorke, hon. E. T.

TELLERS.
Newdegate, C. N.
Beresford, Maj.

House went into Committee. Clauses agreed to.

On the Motion to report progress,

MR. HUME observed, that he did not rise to object to the bringing up of the Report, but to express the deep regret he felt that the Chancellor of the Exchequer should have abandoned the original intention he had made with respect to the protection to be extended to the colonial produce. This vacillating conduct showed that the right hon. Gentleman had not confidence in himself, and could not depend upon the support of the country.

House resumed. Bill to be reported.

SUPPLY—THE NEW HOUSES OF PARLIAMENT.

House in a Committee of Supply.

On the Question that 50,000*l.* be granted towards defraying the expenses of the New Houses of Parliament,

MR. HUME observed, that while they were voting away millions in order to accommodate Parliament, their own House appeared to be entirely forgotten. The accommodation at present provided for Members of the House of Commons was wholly inadequate. He viewed with great regret (though probably his taste might be in fault) the style of the New Houses of Parliament. He did not approve of the ephemeral gaudy appearance which they now presented; and he had hoped they would have had a House, without the frippery, but exhibiting all the taste of the period of Louis Quatorze. There appeared, as far as he could understand, to be no proper estimates prepared as to the expense of the whole construction; neither did there appear to be any responsible person in control of the works. Was Mr. Barry the only responsible person? or if not, who was? He would be glad to hear from the noble Lord the Chief Commissioner of Woods and Forests, who the responsible person was; whether any definite estimates had been made of the expense of completion; and whether there was to be any fitting accommodation prepared in the House of Lords for the Members of that House? He would object to vote the money required until he obtained answers to those questions.

VISCOUNT MORPETH said, that with respect to the distribution of space in the interior of the House of Lords he could not assume the responsibility, as he believed the distribution of space in both Houses was arranged under the supervision of Committees of both Houses appointed for the purpose. So far from there being less space in the new House of Peers for the Members of that House, he was informed the area below the bar in the old House, which was of ample dimensions, was 664 superficial feet, and in the new House 950 superficial feet, being an increase of nearly 300 feet. In addition to this accommodation, there would be, what did not exist before, seats in the gallery for the accommodation of Members. He would not enter into the question of taste with the hon. Member for Montrose (Mr. Hume); but when that hon. Gentleman had alluded to the ornaments of the reign of Louis XIV., he could say that in his (Lord Morpeth's) opinion, and in the opinion of many other persons much better calculated to form a just estimate, the taste displayed in the exterior and the interior of the New Houses of Parliament would not yield to that of any other era, be it what it might.

MR. HUME would be glad to know what plans there were of the Houses. He should like to be present when the Speaker went up to hear Her Majesty's Address, as he feared the vaunted 900 feet would not be sufficient to save hon. Gentlemen from that disgraceful squeeze which generally ensued upon the attendance of hon. Members at the other House. He certainly should object to the vote, until he knew how the money was to be expended. Was it to adorn with additional gilding the House of Lords, or to complete the House of Commons?

Vote agreed to.

SUPPLY—THE BRITISH MUSEUM.

SIR R. PEEL said, that in compliance with the customary duty which devolved upon an individual trustee of the British Museum, he had to move that a certain amount be granted on account of the works. A statement of the progress of those works had been so fully laid before the public, that he felt it would be unnecessary for him to trouble the House with any details. He would, however, mention, with a view to showing the increased interest which the public took in the institution, that the number of persons who visited the institution in the course of the year 1846 was more than double the number who visited it in 1841. The numbers were—in 1841, 319,000; and in 1846, 750,000. The total amount required, after deducting the sums provided from other resources, amounted to 48,000*l.*; but he would propose to take on account 20,000*l.*

Vote agreed to.

The House resumed. Resolution to be reported.

AGRICULTURAL TENANT RIGHT BILL.

On the Order of the Day for the House to go into Committee on the Agricultural Tenant Right Bill,

MR. NEWDEGATE said, he was one of the Committee up stairs to which this Bill had been referred, and that owing to some misapprehension which had taken place in Committee, he feared it might be considered that he assented to the Bill. The Committee met on Friday week; and he understood from the hon. Member for Wiltshire, that the Committee were to meet again on the Tuesday following, for the purpose of again considering the measure. He did not think the Bill should be proceeded with without making further inquiries into the customs of the country as between landlord and tenant. He had received communications from Sussex, Middlesex, Warwickshire, Derbyshire, Lincolnshire, and several other counties, from which communications he learned that the customs of the country in all those places varied from one another and from the Bill. He objected to the Bill as going beyond what is ordinarily considered the custom of the country, and also because there were provisions in it which precluded the landlord from pleading an affidavit. Although the tenant might plead on affidavit for compensation for improvements, the landlord could not do so with respect to the neglected condition of his estate. With such provisions as these, the House would excuse him if he begged them not to consider him as responsible for the Bill.

MR. PUSEY said, the Bill received the careful consideration of the Committee, and attributed the mistake of the hon. Gentleman (Mr. Newdegate) to his want of acquaintance with the forms of a Committee. The business of the Committee had been duly concluded, and there certainly had been no understanding that the Committee would meet again.

MR. ACLAND corroborated the statement of Mr. Pusey, the Chairman of the Committee, and said there had been some misunderstanding on the part of the hon. Member for Warwickshire.

MR. NEWDEGATE did not wish to impute anything dishonourable to any one; but he believed there was an understanding between the Members of the Committee that they should meet again. He only rose to recall this fact to the recollection of the hon. Gentleman.

MR. PUSEY: Does the hon. Member for Warwickshire withdraw his imputation? I wish to ask him plainly before the House, after what he has heard upon the subject, whether he is satisfied that no such understanding as that to which he alludes existed. I state this on my honour as an old Member of the House.

MR. NEWDEGATE: Out of four Members present there was such an understanding as he had described between two.

MR. PUSEY said, there were six Members present.

MR. JAMES said, it appeared to him that this Bill could not bear the light of day. It appeared to have been concocted by some half-dozen persons. It was a most objectionable measure, and might be designated an act for enabling fraudulent tenants to rob their landlords with greater facility than at present.

MR. STAFFORD O'BRIEN said, he left the Committee under the full impression that the business had been gone through, and that they were not to meet again.

SIR R. PEEL remarked, that when the Bill was last before the House, he had great doubts as to the policy of passing it; but his apprehensions as to its efficacy were in part relieved by the appointment of a Select Committee. When he found, however, that that Committee made its report with so much expedition, his expectations were at an end. He doubted whether the House had sufficient information before it to enable it to legislate on this subject. It was important to know the custom as to tenant-right in various parts of England, and also to inquire how far it was possible to give the effect of law to those regulations which existed by acquiescence.

Mr. PUSEY, in explanation, said, the Committee had received no power to hear evidence, and that the business was not gone through with any unnecessary haste. The Bill had only ten clauses, and the Committee added two. The Committee sat for three days, which was at the rate of four clauses a day, and four hours each day, that was allowing an hour for every clause. He wished to have the further consideration of the Bill deferred till the 21st of April, and he implored the House not to discuss its merits till then.

Sir G. GREY said, the Motion now before the House was, that the Bill be postponed till Thursday week, and he thought it much better to postpone the discussion till that day.

Mr. PUSEY said, that the Bill was in a very different shape to what it was in the last Session, and he should consider it to be his duty to persevere with it, and he hoped that he should succeed.

Committee deferred.

DRAINAGE OF LANDS BILL.

The Earl of LINCOLN moved that the Drainage of Lands Bill be read a second time.

Colonel SIBTHORP protested against the further progress of this important and objectionable Bill at so late an hour. He thought that every body should be left to drain his own land as he liked. The hon. Member (Mr. Pusey) had already postponed his Bill, and he thought the noble Earl should adopt the same course. If not, he (Colonel Sibthorp) should deem it his duty to move the adjournment of the House. The hon. Member accordingly moved that the House do adjourn.

The Earl of LINCOLN said, that as the Bill involved no new principle, he hoped that the hon. and gallant Member would not persist in his Motion.

Mr. HENLEY trusted that his hon. and gallant Friend would permit the Bill to proceed. He thought it was a Bill which would have very beneficial effects.

Mr. C. BERKELEY said, that he had many objections to the Bill, and he hoped that his hon. and gallant Friend would persist in his Motion for the adjournment of the House.

The House divided on the question of adjournment:—Ayes 1: Noes 49; Majority 48.

List of the Ayes.

Arkwright, G.

TELLERS.

Sibthorp, Col.

Berkeley, C.

List of the Noes.

Adderley, C. B.
Aglionby, H. A.
Barrington, Visct.
Berkeley, hon. Capt.
Blackstone, W. S.
Bowring, Dr.
Brotherton, J.
Buller, C.
Buller, Sir J. Y.
Carew, W. H. P.
Craig, W. G.
Crawford, W. S.
Deedes, W.
Dickinson, F. H.
Duckworth, Sir J. T. B.
Dundas, Adm.
Dundas, Sir D.
Escott, B.
Greene, T.
Grey, rt. hon. Sir G.
Hawes, B.
Henley, J. W.
Howard, hon. C. W. G.
Hume, J.
Jervis, Sir J.
Labouchere, rt. hon. H.
Macnamara, Maj.
M'Carthy, A.
Masterman, J.
Maule, rt. hon. F.
Monahan, J. H.
Napier, Sir C.
Neville, R.
O'Brien, A. S.
O'Brien, C.
O'Brien, W. S.
O'Connell, M. J.
O'Conor Don
Packe, C. W.
Palmer, R.
Pechell, Capt.
Peel, rt. hon. Sir R.
Ricardo, J. L.
Sandon, Visct.
Somerville, Sir W. M.
Tufnell, H.
Ward, H. G.
Wawn, J. T.
Williams, W.

TELLERS.

Lincoln, Earl of
Trollope, Sir J.

The Bill read a second time.

House adjourned.

HOUSE OF LORDS,

Monday, March 29, 1847.

Minutes.] Public Bills. 1ª Indemnity; Commons Inclosure (No. 2).

Petitions Presented. By Lord Denman, and other noble Lords, from Nottingham, and several other places, against the Proposed System of Government Education.—From Tagmon, for the Establishment of one Uniform Rate in every Union in Ireland.—From Kingston-upon-Hull, for the Abolition of the Punishment of Death in all cases.—By Lord Ashburton, from the City of London, complaining of the Unsatisfactory State of the Bankruptcy and Insolvency Laws.—By Lord Wharncliffe, from Sheffield, for Alteration of the Law of Settlement, and for a National Rate.—By the Duke of Richmond, from Northampton, for the Repeal of the Poor Removal Act.

IRISH IMMIGRATION.

Lord BROUGHAM having presented a petition from the ratepayers of the Wexford Poor Law Union, complaining of the present system of rating, proceeded to state, that from letters which he had received from Liverpool he learned that that town and neighbourhood still suffered to a very great extent from the influx of Irish paupers, and that they had great difficulty as to the disposal of them. From 80,000 to 90,000 paupers had arrived in that town, about 24,000 of whom intended to emigrate, but 60,000 still remained in Liverpool and Manchester and the neighbourhood.

The Earl of DESART, in consequence of what had fallen from the noble and learned Lord (Lord Brougham) on a former occasion, had made inquiries as to the accuracy of the allegation that the Irish paupers were sent over by the landlords; and, though he had not obtained what were exactly proofs, yet he was satisfied from all he had heard that the allegation was unfounded. From all the information he had received, he did not believe that in any part of Ireland had there been such a system as the noble and learned Lord had attributed to the landlords and the inspectors. In only one case, in a union in Skibbereen, could he find that such a thing had been done; and he was perfectly satisfied that, taken generally, the charges were without foundation. He was sure that the noble and learned Lord himself would be the first to rejoice that these charges were not true.

LORD BROUGHAM said, the noble Lord was perfectly right when he said that he (Lord Brougham) would be the first person to rejoice that what had been alleged against the Irish landlords was not true. Undoubtedly he would rejoice, if he could only be brought to believe that; but everything he had heard confirmed him in the truth of his first statement. He had then given the names of his informants; and, among others, he had referred to Mr. Rushton, police magistrate of Liverpool, who transmitted to him the reports of four inspectors who had examined the parties. In these reports the names of many of the paupers were given, along with their statement that they had received sums of from 3*s.* to 5*s.* to carry them over to Liverpool, and that they had received those sums partly from the agents of landlords and partly from the priests. He could also quote the authority of Bailie Liddell, of Glasgow, who ascertained from many of the paupers in that town that the landlords in some cases, and the inspectors in others, had sent them over. Indeed, it was in the highest degree improbable that these people should have come over without assistance, because they were paupers; and the notion that they were paid by the steamboat people was too absurd for any one to believe.

THE LAW OF BANKRUPTCY AND INSOLVENCY.

LORD ASHBURTON presented a petition from wholesale merchants and traders of the city of London, representing that the present state of the law of bankruptcy and insolvency created great injury, inasmuch as there was now no preventive to fraud, and praying for the consolidation and amendment of the same. The noble Lord added, that, after the holidays, he should introduce a Bill on this subject, and move for a Select Committee, to whom the statements of the petitioners might be referred.

LORD BROUGHAM thought that a petition proceeding from so respectable and influential a body demanded from their Lordships the most serious attention; and he rejoiced that his noble Friend would so soon furnish them with an opportunity of discussing the very important question to which the petition adverted. He (Lord Brougham) had been charged in a newspaper with having changed his opinion on the laws of bankruptcy and insolvency. It had been insinuated, that he was desirous of revising the Act, abolishing, in ordinary circumstances, imprisonment for debt. He begged to give the most direct contradiction to that statement. He was of precisely the same opinion now as before. He considered that they had done well in 1838, when they abolished the arrest on mesne process, and that they had legislated with equal wisdom when, in 1844, they abolished arrest in execution and imprisonment for debt, except in cases where there had been fraud or the grossest extravagance.

LIMITED ENLISTMENTS.

The MARQUESS of LONDONDERRY submitted the following questions to Her Majesty's Government: "Whether the Bill now introduced into the House of Commons by Her Majesty's Government for limiting the time of service in the Army has the sanction and approbation of the Commander-in-Chief, and if it has originated on his recommendation to Her Majesty's Government; or if any opinions have been taken by any board of general officers or other military authorities on the measure? Whether it is the intention of Her Majesty's Ministers to advise Her Majesty to issue Her Royal Warrant, as in October, 1806, for fixing and raising the pensions of non-commissioned officers and soldiers who become entitled to their discharge by reason of expiration of certain periods of service—namely, to non-commissioned officers, to 1*s.* 10*d.*; to privates, 1*s.*; thus returning to the standard thought advisable at that period when limited service was first introduced, instead of remaining at the diminished pensions now established?"

EARL GREY: The noble Marquess

would, of course, anticipate, with respect to the first question, that the only course open to Her Majesty's Government was to refuse to return any answer whatever; because although in the present instance he (Earl Grey) might do so without any inconvenience, still, to recognise the principle that questions referring to confidential communications between Her Majesty's servants and persons holding high station, such as that of Commander-in-Chief, could be answered in Parliament, would be to establish a system most injurious to the public service. With respect to the second question of the noble Marquess, he (Earl Grey) had only to inform him that no warrant to the effect mentioned was in contemplation by the Gorernment.

The MARQUESS of LONDONDERRY said, that after what had fallen from the noble Earl, he felt it his duty to move—

> "That an humble Address be presented to Her Majesty for Copies or Extracts of all Communications that have passed between Her Majesty's Government and the Horse Guards, or general Officers, relating to the Limited Service Bill, now under consideration; also for a Copy of the Warrant of his Majesty King George the Third, of the 7th October, 1806, fixing the Pensions of Non-commissioned Officers and Soldiers, by reason of Expiration of certain Periods of their Service."

The course which the Government was adopting, was not only rash, but opposed to the opinions of all practical men. It was, he thought, to be regretted that it should so happen at the present time there was not any military officer in Her Majesty's Cabinet, and consequently the Government had not in their deliberations the benefit of any practical experience to guide them in the conclusion to which they had arrived. If the noble Duke at present at the head of the War Department had approved of the measure, it would have been satisfactory to know it; but if he had not, it was not fair that the Government should shelter themselves under his position. If, on the contrary, the Government had the opinion of the noble Duke in their favour, such was the general confidence reposed in his judgment and ability, that he was sure that the public and the Army would confirm whatever views he might entertain upon the subject. He felt it was his duty as one who had seen active service for some years, to protest against the course which the Government were about to take in this respect. The Bill, it was true, was not directly before their Lordships, and upon that account he might be open to the accusation of bringing the subject prematurely before their consideration; but his reason for so doing was, in order, if possible, to urge upon the Government the advisability of affording the country at large, and the Army, an opportunity of recording their opinions before the Bill passed through its remaining stages. The introduction of the principle of limited enlistments would, in his opinion, be inoperative of good, whilst it might entail upon the service a great amount of evil. What would have been the consequences if, in the case of the Peninsular war, the major part of the Army went to the noble Duke then in command, and demanded their discharge? But there was another objection against limited enlistment, and it was to be found in the fact, that shortly after the country had made a soldier efficient, he could claim to be discharged. It was impossible to make a good cavalry soldier under five or six years' discipline; but if this measure were to pass into law, shortly after the soldier had been made as perfect in his profession as it was possible to make him, the benefit of his services would be lost to the country, which had been put to the expense of educating and maintaining him. Our service as at present constituted, was not a life service; for under the admirable arrangements of his noble relative Viscount Hardinge, when late Secretary of War, the soldier had no difficulty in getting his discharge, if he had conducted himself well. It was found during the operation of the last Limited Service Bill, that the principle proved a vicious one, for the soldiers became, towards the close of the period of their enlistment, if not mutinous, at least difficult to govern, and from their conduct and example, very likely to taint the corps with a spirit of insubordination. Whilst he wished to be understood as in opposition to the principle of the measure, as far as it regarded limited enlistments, he did not wish it to be supposed that he condemned the other provisions contained in the Bill, such as a barrack reform, and other regulations affecting the condition of the soldier; but when the Government allowed themselves to be led away by false theories, and to act in defiance of all established practice and experience, he could not refrain from directing their most serious attention to the dangerous nature of the trial they were about to attempt. He agreed that liberal pensions ought to be awarded to the soldier after long and arduous services. He thought the most advantageous measure would be to bring back the old system of pensions. It was but a miserable economy on the part of Government which they now practised, in not giving men after hard service those rewards they were so justly entitled to. It was said that the Bill, as originally proposed, was to attach to the existing Army as well as the new Army. It was said that the Bill, as originally proposed, was to effect the present existing Army as well as future enlistments; but if the alteration which excluded the present Army had been carried into effect in consequence of the intervention of high authority, it would be well for them to look again for advice to the same distinguished authority, and endeavour to take another leaf out of his book. He believed there was not at the present moment the slightest necessity for the measure. The Army never was in finer or more effective condition; and he put it then, whether at such a time it was advisable to recur to a principle which had signally failed on three or four previous occasions. He had in his possession a letter from an officer of high standing in the Army, which, containing, as it did, the opinion of a practical man, ought to carry some weight with their Lordships. It was not necessary to state the name of the writer, but the letter was to the following effect:—

> "My dear Lord—I am flattered by your Lordship asking and setting any value on my sentiments as to the momentous change which is now pending in the mode of enlistment for the Army. As with me it is purely a professional, and not at all a political question, I have no scruple or hesitation whatever in openly avowing them. I well recollect the former partial and temporary trial of the experiment whilst in command, and the inconveniences that then resulted from it. Its pernicious effect on discipline was sensibly felt, chiefly through the independent and unruly deportment of those soldiers whose period of service approached its expiry, and who, by their bad example, tainted those who were enlisted for unlimited service. I was heartily glad when we returned again to the present mode of enlistment. Abstractedly speaking, the plan seems plausible enough; but I apprehend it will prove practically a perilous experiment in the end, for I fear that the restrictions to be attached to it are insufficient to palliate the mischief, or effectually to avert the danger at the critical moment when we may want out utmost strength. To some arms it must prove quite a ruinous measure; and most particularly so to the artillery, and next to the cavalry. To the infantry, perhaps, the mischief may prove comparatively trifling. In the artillery it will be quite impossible to maintain its present reputation under the circumstances that this Bill must inevitably produce in this branch of the service. And, after all, I think it will be found a great mistake to suppose that we shall, by this measure, obtain one of the chief advantages which its advocates hold out to us, viz., a very different and very superior description of recruits. To me it appears that we shall continue to get pretty nearly the same materials as at present, only rendered less manageable by an unruly spirit of independence. The men on the point of claiming their discharges will, as they did before, bid defiance to discipline. To sum up, you will have a wretched corps of artillerymen, and a very indifferent body of cavalry, compared to what you have had. It is all very well to say that the mischief will not be irretrievable, and that you may track back again, as you have before; but such changes are most pernicious and inconvenient to the service, and unsettle the whole of the machinery of the Army. Such are my notions on this subject. They may be erroneous, and I hope I may be mistaken in my anticipations of the pernicious effects of the measure.—I remain, my dear Lord, most sincerely yours, * * *.
>
> "March 29, 1847."

In addition, there was the opinion of Mr. Canning in 1806, who stated that he could not allow a question of such magnitude and importance as an alteration in the limitation of army service, to be made without the fullest and most deliberate consideration of all the attendant circumstances. The noble Marquess concluded by moving for the returns.

EARL GREY assured the House, that, in rising to reply to his noble Friend, he would not follow the noble Marquess through the very elaborate details into which he had entered. The noble Marquess had prefaced his observations by suggesting that perhaps it would have been better for him to have postponed his observations until the question was brought legitimately before them. With that expression of opinion he (Earl Grey) entirely concurred; and he would carry out the principle involved in it, although the noble Marqness had in practice diametrically opposed that which he had himself advocated. He assured their Lordships it would be highly inconvenient to enter on a debate upon a subject then not before them, but which would in a short time be brought under their consideration in the regular way; and upon that account he would postpone any remarks he might have to make upon the merits of the measure. In answer to the observation of the noble Marquess, expressive of regret that there was not any gentleman of high military ability in the Cabinet, he feared Her Majesty's Government would have to labour under the censure. All he could say, with reference to the Motion with which his noble Friend had concluded, was, that his speech did not contain a single Parliamentary reason for asking the House to furnish the papers.

It was a most inconvenient thing, as their Lordships would all admit, to make the consultations that might have taken place between officers of the Crown and Members of the Government upon any particular measure which should be submitted to Parliament a subject for discussion; and, in his opinion, to consent to afford such information as the noble Marquess required, would be subversive of the efficiency of the public service; and he, therefore, confidently asked their Lordships not to agree to the first part of his Motion. With regard to the second, as the Warrant of 1806 would no doubt be found among the old army warrants of the period, he had no objection to it.

The EARL of CARDIGAN looked with doubt and apprehension on the measure introduced by the Government in the other House for the limitation of the period of enlistment. The objects of the Bill, he understood, to be these: first, to render the Army more popular; secondly, to facilitate the obtaining of recruits; and, thirdly, to induce a better class of soldiers to enlist. It appeared to him that the most effectual way of obtaining these objects would be to confer a more liberal pension on the discharged soldier, and then to take some means to curtail the length of colonial service, which now amounted to banishment from their native country. He would ask, what advantage or bonus the Bill now about to be brought before the House, held out to induce men of a higher or better class to enlist? They were required to serve in the ranks ten years; they then had permission to enlist for twelve years in what he supposed must be called a reserve battalion, in which twelve days' duty per annum would be required, and at the end of that period they might again enlist for a similar period with the same duty. At the expiration of the whole term, a service of one sort or other of thirty-four years, what then was the boon held out to superior men? They were to retire on a pension of 6*d.* per day. Sixpence a day was, he believed, the smallest amount of parochial relief granted to paupers: it was the union pittance for breaking stones at the side of the high road. He did not think, with such a pension a better class of men would be induced to enlist. If this Bill should pass the Legislature, and he believed it would, he trusted the Government would take into consideration the propriety of altering the present unlimited system of allowing discharges to be purchased, and of requiring a *bonâ fide* service of ten years. If, in addition to the present system of discharges, the enlistment was limited to ten years, the Army could not possibly be kept in an efficient state. In the regiment which he had the honour to command, a hundred recruits had been enlisted during the last fourteen months; and every one who knew anything practically of the subject must be aware that a cavalry soldier could not be formed in that time. Other cavalry regiments were in the same position; and, of course, they could not be in the most efficient state at that moment. He would like to ask how the Bill was proposed to be carried into effect. He could understand it in a Continental army; but it was wholly inapplicable to the position of England, when, although we had a large standing Army, it was dispersed into every part of the globe. We had forces at Hong-Kong, in China, on the Sutlej, in Scinde, in various parts of the great continent of East India, in North America, in the West Indies, in the Mediterranean, at the Cape of Good Hope; in fact, there was scarcely an habitable region of the earth in which some portion of the standing army of England was not dispersed. He would ask, then, how were the men in these distant colonies and stations to be relieved, and how the places of those discharged were to be filled up? The expense of sending to all these remote parts of the world would be considerable, and would oblige the Government to keep up a perpetual system of transports to relieve the men as their time expired. They must recollect that regiments were not sent to the colonies for two, three, or five years; but for ten at the least, and often for fourteen or sixteen. It would probably be answered, so much the better for the men thus to shorten the limits of the colonial service; but he would ask what system was to be pursued with regard to the officers? The whole corps of officers would be detained the full period, while the men would be regularly and periodically released. These were the views he entertained on the subject; and, in addition, he had one remark to make in reference to what had passed in another place. In this country, there was now, and always had been, a strong prejudice against large standing armies. It was considered unconstitutional and destructive to the liberties of the subject. But it was dispersed over the colonies, and nothing was left here but a mere skeleton of a standing army; and at some future time, when the people of this country were turned by means of this Bill into a military population, the greatest difficulty would be experienced in cases of disturbance to suppress the riotous, and maintain internal peace with that skeleton. Let them all recollect what had occurred in a neighbouring country. There the troops had been defeated, the Government overthrown, the dynasty subverted, and the greatest excesses committed by the victors. Perhaps the same circumstances never could happen in this country ; but it was dangerous to make the people into a military population, accustomed to the sound of fire-arms, and practised in the use of them. He remembered ten or fourteen years ago, in a time of considerable discontent, though he did not just then remember the cause of it, a body of 30,000 men marched through the metropolis, with all the military array they could assume. It was true that great body dispersed quietly; but the Government in the morning of that day feared the contrary. Every man who could be called upon duty was summoned; great precautions were taken; and the roads approaching the place in which their Lordships were now sitting was guarded by troops and patrolled by cavalry. He could not but think that in future, when such bodies as 30,000 men assembled in times of great discontent and excitement, if two-thirds of those bodies were men discharged from the ranks, and accustomed to the use of fire-arms, they would be the more likely to proceed to extremities, and the Government would find it ten times more difficult than ever to suppress them. He concluded by expressing a hope that he had said nothing which was unbecoming in the presence of so high a military authority as the noble Duke (the Duke of Wellington) who was sitting near him.

The MARQUESS of LONDONDERRY explained, that he had given the Government early notice of his intention to put the questions he had done; and with respect to discussing the Bill before it was before the House, he had taken the course adopted the other evening by the noble Lord opposite, and thought himself perfectly justified in so doing. He thought the noble Earl (Earl Grey) might have done him the courtesy to have stated his views on the subject, instead of leaving their Lordships in entire ignorance. Their Lordships and the country had a right to expect some statement from the noble Earl.

First Motion withdrawn; second agreed to.

House adjourned.

HOUSE OF COMMONS,

Monday, March 29, 1847.

MINUTES.] PUBLIC BILLS.—1° Landed Property Improvement (Ireland).

2° Poor Relief Supervision (Ireland) (No. 2); Fever (Ireland).

Reported.—Customs Duties.

3° and passed: Marine Mutiny.

PETITIONS PRESENTED. By Mr. Aglionby, from Henry Pearson, of the Middle Temple, Esq., Barrister-at-Law, for Alteration of the Law respecting Church Leases.—By Mr. G. Hamilton, from Clergy of the United Dioceses of Down and Connor and Dromore, againt Alteration of the Law of Marriage.—By Mr. T. Mackenzie, from the Presbytery of Tain, against the Marriage (Scotland) Bill.—By Mr. Brotherton, from Members of the Hulme Branch Temperance Society, and from Dublin, against the Use of Grain in Breweries and Distilleries.—By Mr. Curteis, from Rye, for the Reduction of Lighthouse Dues.—By Mr. Kemble, from West Brixton, and Mr. Tollemache, from Prestbury, respecting Remuneration to Tax Assessors and Collectors.—By Mr. G. Craig, from Edinburgh, for the Establishment of a Second Carlisle Mail.—By Mr. Brotherton, and several other Hon. Members, from a great many places, against the Government Scheme of Education.—By Mr. Stafford O'Brien, from the Grand Jury of the North Riding of the County of Tipperary, for Regulating the Sale of Fire Arms (Ireland).—By Mr. Dennistoun, from Glasgow, complaining of the Influx of Irish Poor.—By Mr. T. Duncombe, from John Todd Merrick, of New Oxford Street (Middlesex), for Inquiry respecting the Metropolitan Buildings Act.—By Mr. P. Scrope, from several places, for Alteration of the Poor Law (Ireland).—By Sir W. Clay, from Guardians of the Poor of the Stepney Union, for an Efficient Poor Law (Ireland).—By Mr. G. Hamilton, from Clergy of the Diocese of Kilmore, for Alteration of the Poor Relief (Ireland) Bill.—By Mr. G. Hamilton and other Hon. Members, from several places, for Alteration of the Poor Relief (Ireland) Bill.—By the Marquess of Douro, from Norwich, and Mr. T. Duncombe, from Guardians of the Poor of the Chorley Union, for Repeal or Alteration of the Poor Removal Act.—By Mr. G. Hamilton, from Carlingford and Dundalk, and Mr. Hume, from Wells (Norfolk), in Favour of the Ports, Harbours, &c. Bill (1846).—By Mr. G. Hamilton, from Guardians of the Poor of the Balrothery and Cootehill Unions, in Favour of the Railways (Ireland) Bill.—By the Earl of Lincoln, from Falkirk, and Mr. T. Mackenzie, from the Presbytery of Tain, against the Registering of Births, &c. (Scotland) Bill.—By Sir G. Clerk, from the Presbytery of Elgin, against the Registering of Births, &c. (Scotland) Bill; and the Marriage (Scotland) Bill.—By Mr. Bouverie and other Hon. Members, from several places, for Compensation respecting the Registering of Births, &c. (Scotland) Bill; and the Marriage (Scotland) Bill.—By Mr. Smith O'Brien, from F. W. Maberley, Vicar of Great Facbro', Suffolk, for the Formation of Depôts for Seed Corn, &c. (Ireland).—By the Marquess of Douro, from Norwich, for Alteration of the Law of Settlement.

LABOUR IN THE COLONIES.

SIR J. WALSH said, that in the colonial circular of the Colonial Emigration Commission he had seen a number of extracts from the reports of the emigration agents resident in the colonies, who all concurred in representing the great demand that there was for labour in the colonies at present, and the additional facilities there would be for finding employment for labour if they should be furnished with a supply of it, and asked if the Government would lay on the Table the whole of the despatches from which these extracts had been published, and whether any additional reports had reached them to the same effect?

Mr. **HAWES** explained, that all the despatches from Canada, from which the extracts referred to by the hon. Baronet had been made, were already on the Table. With respect to the other reports, namely, those from Australia and the other colonies, he could assure the hon. Gentleman that the whole of the despatches had been carefully examined and extracted from; and he was satisfied there was nothing more of any value on this subject stated in those despatches. Papers had been already ordered by the House which would contain further information; and between them and the papers on the Table, the hon. Baronet would now have all the information that it was possible for him to have on this question.

ENGLISH CHURCH AT ALEXANDRIA.

In answer to a question from an Hon. Member,

Viscount **PALMERSTON** said, that the English Church at Alexandria, a site for building which had been granted by the Pasha, and the building of which was at a stand-still at present for want of funds, was in this situation, that a moderate estimate having been presented to the late Government of the probable expense of the building, and the English residents having subscribed a certain sum, the late Government, acting on the rule that had been laid down, authorized the advance of a certain proportionate sum. Certain parties there had, however, thrown aside that moderate estimate, and embarked in a more expensive plan, and the consequence was, that they had not only got through all the money which the late Government granted, but had got into debt; and they now were waiting a further sum to be advanced. The question was under the consideration of the Government, whether there were any grounds for making any further advances, as the local subscriptions formed but a very small portion of the sum which was necessary to defray the remaining expenses of building this church.

RELIEF OF NON-RESIDENT PAUPERS.

Sir De L. **EVANS** wished to put a question with respect to the contents of a petition which he had presented the other day from the parish of St. James, Westminster. It appeared that doubts had arisen respecting the interpretation of the provisions of the Poor Law Amendment Act with regard to non-resident paupers. The guardians of that parish had ordered relief to non-resident poor, on which the Poor Law Commissioners had written them a letter, censuring their conduct, and giving them to understand that they might be personally liable for the amount of rates so expended. He wished to know whether the Poor Law Commissioners had the authority of the Secretary of the Home Department for that censure?

Sir G. **GREY** replied, that no direct authority had been asked or obtained. The Poor Law Commissioners had obtained the opinion of the law officers of the Crown on this point, and having done that, had communicated it to the board of guardians of St. James's; and they had pointed out, he had no doubt, in this case, as they did in others, what would be the legal consequences, as they had been advised, of the guardians acting as they had done in this respect, and what ought to be the course of the guardians in future.

PUBLIC WORKS (IRELAND).

Mr. **SMITH O'BRIEN** said, it was of some importance to learn from the Government what was the principle on which the dismissal of labourers from the public works in Ireland, as at present pursued, was founded. From the letter of the right hon. the Secretary for Ireland, he had been led to conclude that the dismissal could not take place until the other measures of the Government had come into operation. It now, appeared, however, that in many parts of Ireland the labourers had been dismissed in very great numbers before the measures for temporary relief came into operation at all. He had a letter from a Protestant clergyman in the county of Limerick, who was himself an active member of a relief committee, and who stated that in his district the Government officers had dismissed not only 20 per cent, but all the labourers from off the works; and the consequence would be, that they would be starved to death; that he had inferred from Mr. Labouchere's reply that such was not the intention of the Government, but that some had been dismissed who had no means of subsistence but their daily labour, and that as there were no resident gentry, there was, consequently, no relief to be had from private employment. No one could justly object to the original principle laid down by the Government for conducting the dismissals upon; but then it ought to be carefully carried out. If the people dismissed had nothing to give wherewith to obtain food but their labour, and there was no private employment to be had, the consequence might be their death by starvation.

MR. LABOUCHERE said, what he stated on a former occasion, and what he was now prepared to repeat, was this : Her Majesty's Government were satisfied, after the best inquiry they were able to make upon the subject, that it was expedient and proper that on a certain day the number of persons employed on the public works throughout Ireland should be reduced by twenty per cent. They thought that was a step which, upon their responsibility, they were bound to adopt, and in that respect they left no discretion whatever with any one connected with the Irish Government; but the rule laid down was this —they required that twenty per cent should be reduced on the aggregate number of the persons employed throughout the whole of Ireland, leaving to the Board of Works in Ireland a discretion as to whether in each particular instance that precise number should be the proportion to be reduced or not. The Board of Works in Ireland thought they should best meet the views of the Government by striking off twenty per cent from the number of persons employed in each district; but it was not the case that that rule had been applied strictly and invariably on every public work in Ireland; and as a proof that such was the case, he would read an extract from a report which had been received from Captain O'Brien, the inspecting officer for Clare, and which was dated the 20th March instant. The right hon. Gentleman read the following extract :—

> " As in some districts the numbers hitherto employed are much less than in others, it would be unjust to strike off the same per centage from all. I have, therefore, directed that the numbers in each district shall be reduced to a certain proportion of the population, so that at least twenty per cent will be reduced on the whole."

That was the manner in which this officer considered himself justified in acting under the order given. He reduced the number —if he (Mr. Labouchere) understood the extract rightly—by twenty per cent on the whole population employed in the district of which he was in charge; but he did not think it necessary to reduce the number on each particular public work in that precise proportion. He had the satisfaction to be able to state, that on the whole, considering the immense difficulty of a change of this description, the reduction had been carried into effect in Ireland in the most satisfactory manner. He believed that in one or two places alone had there been the slightest appearance of disturbance; and he had received the strongest assurances from various parts of the country that not only had the alteration been effected without disturbance, but without detriment to the interests of the people, and in a manner tending materially to the promotion of the cultivation of the soil. It was an undoubted fact that in many places people had got employment on the public works who never ought to have been placed there; and he believed the result of the recent change was, that these persons had been struck off the works, and that the intention of Her Majesty's Government in giving that order had been realized by its results. The hon. Gentleman also said that the Government had engaged that those persons should not be struck off the public works until the new Act had been brought fully into operation by the local committees. He believed, if the Government had made any such statement, they would have acted most improperly. They could not disguise from themselves the fact that in most parts of Ireland a great preference was shown for the public works over the new relief system; and if Her Majesty's Government had made such an announcement as that attributed to them by the hon. Gentleman, the greatest delay would assuredly have taken place in bringing the new Act into operation. But in reference to this part of the hon. Gentleman's remarks, he would read a letter that had been received that day, addressed from Colonel Jones, the chairman of the Board of Works, to Mr. Trevelyan :—

> " Upon reading the Dublin journals, it would be supposed that the men discharged from the works had been deprived in an instant of their daily food ; the fact is that they were not entitled to be paid until the Tuesday or Wednesday following, and the payments so made were to be their means of securing subsistence for another week, so that with the time between the publishing of the order, and the moment when the money would be expended, ample time was afforded for procuring other employment, or for the electoral division committees to have made the necessary

preparations for supplying the destitute with food."

He trusted the House would be satisfied that as much consideration had been shown for the people as it was in their power to bestow; and he had the satisfaction to think that on the whole this great reduction had been carried into effect with as little temporary suffering and embarrassment as possible. There was only one point more in the statement of the hon. Gentleman to which he would advert. The hon. Gentleman said there was no means of finishing and completing the works that had been commenced. Such was not the case. At this very moment presentments passed at the sessions had been sent over to this country, and were receiving the concurrence of the Treasury. The hon. Gentleman was in error in supposing that no means existed whereby the works now in progress could be completed. On the contrary, the only alteration made was that the presentments made by the sessions were not any longer to be sanctioned by the Lord Lieutenant on his own authority, but were sent over for the sanction and approval of his right hon. Friend the Secretary of State for the Home Department.

Sir A. B. BROOKE wished to learn if he understood the right hon. Gentleman rightly in believing him to have stated on a former occasion that the public works would be suspended altogether when the relief committees were in operation. He would like to know, in such an event, how the people were to get employment in June and July, a period of the year when there was little or no agricultural labour to be had. He should also wish to know if it were the intention of Her Majesty's Government to establish the system of soup-kitchens in each electoral division throughout Ireland. He would take the liberty of submitting to them a much more advantageous and much better system. He knew from his own experience that the difficulties were almost insurmountable, and in some mountainous and remote districts he might say that they were of a nature impossible to be overcome, in getting houses large enough to be converted into these kitchens, and in procuring boilers and other utensils, and in getting farmers on whom they could place sufficient confidence to conduct the arrangements. Besides, if bread was to be given with the soup, they should build ovens, as there were no ovens in the country at present available for the purpose. By the plan which he would venture to recommend, one pound of rice well boiled in three quarts of water, with the addition of a small quantity of meat, would make thirteen or fourteen pounds of good food.

Mr. LABOUCHERE said, in answer to the first question of the hon. Baronet, he had to state that it was the intention of the Government, as soon as the new Act was in operation, to reduce still farther the number of persons employed on the public works. With regard to the other question, he would say that it was the desire of Her Majesty's Government that the relief should not be confined to soup; but the whole question of the manner in which relief could be best afforded to the people had been put into the hands of the Relief Commissioners, and he had no doubt but the best arrangements would be adopted by them. If the hon. Baronet was going over to Dublin, he was sure the Commissioners would be very happy to confer with him on the subject which he had mentioned.

Subject at an end.

ATROCITIES IN SPAIN.

Mr. BORTHWICK: I congratulate the House upon the convalescence of the noble Lord the Secretary for Foreign Affairs, and at the same time I must express my regret at his recent absence, for it compelled me to postpone the question which I intended to put to him upon two former occasions. And as the Order of the Day is now not upon going into a Committee of Supply, but upon going into Committee upon a question of domestic policy, I should not be in order, I should be out of order, if I moved for the production of the papers of which I have given notice. Under these circumstances, therefore, in putting the question to the noble Lord which I am now about to put, I trust the House will allow me to say just so many words, and no more, as will make that question intelligible. The point to which I am desirous of directing the attention of the noble Lord is limited to one single fact—and if that fact stood alone, in the age and country in which it occurred, and which it has disgraced, it would carry with it its own antidote; for its atrocity would forbid imitation, and would necessarily limit its influence within the circle of its immediate and more direct action. But the fact, though single, is not solitary. It is only one of the thousand *indicia* of vice which take place in revolution, and which are so inseparably associated with the machinery of that dynasty, with regard to which it will shortly be no longer possible to conceal from Europe, that so long as that dynasty is permitted to remain upon the stage, such atrocities will continue to shock and to degrade mankind. That to which I will now at once proceed to direct the attention of the noble Lord is a proclamation issued by the late Commandant of Catalonia, under the Government of the Queen of Spain. It is dated " Barcelona, March 4," and it begins—

" The exertions and fatigues of the brave troops of this army will be incompetent to the extermination of the hordes of Vandals who have raised anew their banner of blood, with a view to reproduce the disasters of the last war, so long as these hordes shall find in the country that shelter and protection which can alone save them from the pursuit of our indefatigable columns."

So these " hordes of Vandals" are said to be protected by the peaceful people of the country. A question, therefore, arises for the consideration of the noble Lord, whether he would be able to do what General Breton has not been able to do—to draw a line of demarcation between these " hordes who are raising anew the banner of blood," and the peaceful, honest, and industrious people of the country. I assert, however, that there is no such distinction existing; and, speaking from this place as a Member of the British House of Commons, I state that at the time when this protection and shelter is said to have been given, not a musket had been fired, not a band formed, not an act in the shape of insurrection committed by any class of men, or under any banner, bloody or otherwise, in the name of the Conde de Montemolin; or, I may add, of any other person. This proclamation bears date the 4th of March and it thus proceeds:—

" I therefore ordain as follows:—

" The punishment of death shall be summarily inflicted—

" 1. Upon every person who shall be taken, with or without arms, if accompanying any of the rebel bands.

" 2. Upon all spies.

" 3. Upon every individual detected in carrying letters or despatches for the rebels."

I pass over some other items which, if the country were under martial law, would be regular and usual. But I object to the application of martial law in the case. Nothing has occurred to justify it; but if the country were in a state of martial law, I should have no objection to the 6th or 7th items. But I come to the 8th, and against its cruelty I most loudly protest:—

" 8. Upon every person who shall receive or conceal in his house, without giving information, any of the wounded or fugitives of the rebel forces."

The " wounded," it must not be forgotten, of persons who carry no arms! But it proceeds:—

" II. The alcaldes and judges of the towns shall continually keep some person on the look-out upon the steeple or other elevated position in their respective towns, or in the environs, if there be no commanding situation in the town itself. The watch, so soon as he may observe any suspicious assemblage, shall give notice to the authorities. Surprise being thus rendered impossible, the plea of it will not be accepted as an excuse for the alcaldes or judges, who will be subjected to the strictest responsibility, involving penalties that may, under particular circumstances, include that of death.

" III. The alcalde, having received information that a band is in sight, shall give immediate notice of the fact to the nearest column, fortified post, or town; and the tocsin shall be sounded without delay.

" IV. The same obligation is imposed on all proprietors of country houses.

" V. So soon as a detachment of the enemy shall have appeared, the commandant-general of the province shall order all hermitages and chapels generally to be closed.

" VI. The alcaldes and judges shall be careful that no person above the age of fourteen shall quit his home without permission of the authorities.

" VII. If any adult shall leave his home to join the ranks of the rebels, the alcalde must give immediate information to the commandant-general of the province, who shall order that the father and mother, guardians, or relations (in case they should have influenced the adult to the commission of this crime by their advice or otherwise) be forthwith arrested and placed at the disposal of the Council of War. This tribunal shall try them, and inflict even the penalty of death, if they be found to have deserved it. Masters of apprentices and of young servants shall be liable to the same punishment.

" I reserve to myself the right to decide to what extent a town or population shall be considered guilty who may have permitted the presence of any factious band without offering resistance, and to inflict a heavy fine or some other more severe punishment, on the Ayuntamiento,

(Signed) " MANUEL BRETON.

" Barcelona, March 4."

I know perfectly well that it will be said, " But proof of the offences must be given before a council of war;" but this House will not have forgotten the fate of the mother of General Cabrera, at that time a young man, and a sudent in the university, who was shot because her son had left the university, and she was not able to say whither he had gone. The perpetrator of that foul and atrocious act was Nogueras, and the Government of the Queen promoted Nogueras. General Mina sanctioned it, and in his turn the Government promoted him. So we must read this proclamation, not with English but with Spanish eyes, and think of its force when it is addressed to the subjects of Isabella the Second. Queen Isabella is, unhappily, the ally of this country; and I cannot therefore call upon the noble Lord to do more than to use the weight of his great influence, and to remonstrate against such atrocities. But the important point is, that it is high time, before another day passes, that that influence should be used to prevent the recurrence of such barbarities. For there is but one thing that prevents the Spanish nation themselves from taking the vengeance which these barbarities would almost justify, and that is, the forbearance of the great majority of the people, who are devoted to him whom they believe to be their legitimate King, and, who, in obedience to his commands, refuse to retort by reprisals. To prove this I will read, not a proclamation, but a circular, dated London, 10th March, addressed by the Conde de Montemolin to his friends in Spain. The former proclamation which I have read is dated on the 4th of March, and did not appear in the London papers until the 17th. The Conde de Montemolin did not, therefore, know of the proclamation of the 10th; but having heard of the intention of the Government of the Queen to renew these barbarities, he thought it right to make public the following manifesto :—

> "It has been brought to the knowledge of his Majesty, that the Government of Madrid proposes to adopt towards those who so heroically defend his just rights measures of extreme rigour, and even of atrocity, to oblige his friends, by such means, to imitate, in reprisals, the brutal conduct of their adversaries, and so to bring discredit on his Majesty's cause. Envious of the praiseworthy conduct of those chiefs who have hastened to anticipate the campaign, they fear, and not without reason, the effects and the adhesions which, not only among the mass of the population, but even among their own troops, are produced by such perfect order and admirable moderation.
>
> "Such effects, when resulting from such causes, his Majesty desires not to forego, even should they involve on his part the greatest sacrifices.
>
> "I am therefore commanded by his Majesty to impress upon you, that, be the conduct of the enemy what it may, you must on no account whatsoever make any reprisals. To all the atrocities which the enemy may commit, you must oppose only that steady discipline, order, moderation, and conciliation, which his Majesty has so often and so anxiously recommended, in order that the guilt and opprobrium of the hateful acts which they only perpetrate may weigh upon themselves alone; and that Spain and Europe, judging strictly by the facts, may fix the responsibility on those to whom it truly belongs.
>
> "In this manner you will augment your ranks; you will merit the approbation of the people whose guardians and protectors you will be; and the enemy, far from finding assistance and succour, will encounter only disgrace and defeat.
>
> "His Majesty's desire is, that his arms may shine with the lustre of true valour, which is never separated from virtue and humanity, and that they should be employed against no enemies except those who oppose resistance in the open field of battle.
>
> "God preserve your Excellency many years, &c.
>
> "By royal order,
>
> (A true copy.) (Signed) "MON.
>
> "London, March 10, 1847."

I do not ask the noble Lord to become a partisan, or to interfere in any question of Spanish dynasties; but I wish to bring under his consideration the fact that, by the instrumentality of those gentlemen, to whose petition the noble Lord the Member for Lynn intends to call the attention of the House, and who assisted a foreign Government that they might turn to better account their idle money—that by means of English money that Government is disgracing Europe—is disgracing the name of Prince—nay, more, is even disgracing the name of woman! I allude not to that unhappy woman—to that unfortunate Princess—who is rather the victim than the agent of these enormities; but I allude to her ill-intentioned advisers, who with power derived from money which the lenders are now asking—I trust in vain asking—to be returned, have sacrificed their own honour, and the honour of their country, to their ambition, cruelty, and lust. My business is to ask the noble Lord to speak effectively; to say to this tide of horrid barbarity, "Hitherto hast thou come, but thy dark waves shall proceed no further." This it is in the power of the noble Lord to do. I doubt not that he will be willing to exert his power. It was my wish to have entered into the full merits of this question; but the Orders of the House forbid me, and I must rest contented with this brief and inadequate statement. I must not ask the permission of the House to read any other documents of the Conde de Montemolin; but if it be said that the circular I have read was written in London, and was dictated by the Conde de Montemolin at a time when an opposition to such barbarities would be sure to excite popularity, I hold in my hand his original proclamation—issued at that memorable time when his illustrious Father had just signed the abdication of all his rights. It breathes the very same sentiments :—

"Spaniards—The new position in which I am placed by the renunciation of his rights to the Crown of Spain made in my favour by my august Father, imposes upon me the duty of addressing you. But do not believe that I am about to cast amongst you a torch of discord. Enough of tears and of blood. My heart is oppressed by the bare remembrance of past calamities, and shrinks from the very idea of their recurrence.

"The events of former years may not unnaturally have left on some minds the impression that I am animated by the desire of avenging past injuries. My breast can harbour no such sentiments. If Divine Providence shall be pleased to open to me once again the portals of my country, I shall know no parties—I shall recognise only Spaniards.

"In the fluctuations of the revolution, eventful changes have taken place in the social and political organization of Spain; some of these, undoubtedly, both as a Prince and a Spaniard, I could not but deplore. But they are deceived who imagine me ignorant of the true situation of affairs, and desirous of attempting what is impossible. I know well, on the contrary, that the best means of avoiding the repetition of revolutions, is neither to attempt the destruction of all which they have created, nor yet the re-establishment of all which they have destroyed. Justice, without violence, reparation without reaction; the prudent and equitable adjustment of all interests; to profit by all the good which our forefathers have left us, without opposing the spirit of the times, as far as it contains what is salutary—this is my policy.

"There is in the royal family a question which sprung up at the end of the reign of my august uncle Ferdinand VII. (may he rest in peace!) and which provoked the civil war. I cannot forget the dignity of my birth nor the interests of my august family; but I at once assure you, Spaniards, that the fault will not be mine if this division is not terminated for ever. There is no sacrifice compatible with my conscience and my honour to which I am not ready to submit, if by such means I may put an end to civil discords, and accelerate the reconciliation of the royal family.

"If Heaven should vouchsafe to me the happiness to tread again the soil of my country, I shall desire no other shield than your loyalty and your love. I desire nothing more than to devote my life to the obliteration of every trace of past discords, and to the establishment among you of union, prosperity, and happiness.

"This will not be difficult for me if, as I hope, you will aid my earnest desires by endeavours worthy of your national character, by your love and reverence for the holy religion of our fathers, and with that magnanimity which rendered you so prodigal of life whenever it could be no longer preserved with honour.

(Signed) "CARLOS LOUIS.

"Bourges, 23rd May, 1845."

Fourteen years experience proves the truth of that with which I set out. From year to year, and from month to month, these facts have returned. There has been no single exception. No Minister has been an exception. Europe has been startled, and Spain has been degraded, by horrors the most atrocious and revolting. I deprecate those horrors, and I am sure the noble Lord will deprecate them as loudly as I do. It might be tempting to me to recur to former Parliaments and other years, in the course of which predictions were made by me, which at least do not exceed the truth. But in such triumphs of foresight or of opinion I have no pleasure—I take no pride. I only wish that the noble Lord, seeing the character of the two proclamations, "looking on this picture and on this," without taking any dynastic part in the affairs of Spain, would pronounce a voice in favour of justice, humanity, and truth. For even with the devoted loyalty, love, and affection towards him whom they believe and know to be their righteous Sovereign, it will be impossible for his endeavours to restrain the Spanish nation long from that vengeance which is natural when they see their fathers and mothers, brothers and sisters, butchered for no crime except it is adhesion to the interests of their country. The question which I have to put to the noble Lord is, whether the Government of Great Britain have addressed any remonstrance to the Government of Spain in consequence of this proclamation of General Breton; and if so, whether the noble Lord will have any objection to lay it upon the Table? If it is said that the author of that proclamation has been recalled—if the noble Lord refers to the *Barcellonaise*—a Barcelona paper—of the 15th of March, and to the *Clamor Publico*, published in Madrid on the 18th, he will find that the successor of General Breton has confirmed all the provisions of that detestable proclamation.

VISCOUNT PALMERSTON: Sir, in giving an answer to the questions of the hon. Member, I beg to state that I have no official knowledge whatever of the proclamation which he has brought under the notice of the House. Indeed, the first knowledge that I had of such a proclamation being issued was from the hon. Gentleman himself, who had the goodness to send me an extract from a newspaper containing it. Of course no steps have been taken by Her Majesty's Government on the subject: but if the hon. Gentleman or the House wishes to know the sentiments of the Government with regard to the order which he has read, I think that every Member present need only consult his own opinions in order to know the disapprobation, disgust, and indignation, which such a barbarous proclamation as that inspires in the mind of every Member of Her Majesty's Government. The hon. Member has read a document in contrast with it, which, no doubt, is highly honourable to the Prince whom he considers best entitled to the throne of Spain. And as far as moderation and the humane principles contained in that proclamation which he has read are concerned, it certainly contrasts strongly with the savage tone and intention of the proclamation of General Breton. As the hon. Gentleman said, General Breton is no longer in the office which he held when he issued this proclamation; but I was not aware that General Pavia, his successor, had adopted it. As far as any influence of the British Government can go, the hon. Member may rest assured that our object has always been, in any advice which we felt ourselves competent to give to the Spanish Government, to impress upon them the necessity of acting upon a humane and not a barbarous policy; and that any advice we may give will be actuated by that sense alone. At the same time, when we are considering, as the hon. Member has called upon the House to consider, where the greatest degree of blame and censure should be cast for this sort of atrocious practices, it is right the House should bear in mind that these practices are not of such recent date. It is impossible for the House to have forgotten the Durango decree. Although the hon. Member has wished to represent that these atrocities were committed entirely by the troops serving upon the side of the Queen, in point of fact they have been committed by both sides, only with this difference, that whilst Don Carlos was in Spain, there was nothing corresponding to them on the part of the officers of the Queen. But, Sir, it was not only at that period that the barbarous practice of shooting prisoners was adopted, because in the days of Ferdinand, according to the absolutist doctrines, which are no longer professed by that party, it was adopted. With regard to the question of the hon. Gentleman, it would, in my opinion, be extremely irregular to enter into a discussion upon the subject which it involves. I have only to express my admiration of the general tone of moderation in which the circular or proclamation he has read is couched; but I cannot, at the same time, refrain from expressing my regret at some expressions and at some indications contained in that document. That circular or proclamation talks of "ranks" and "arms," of "the open field of battle," and of "the enemy;" those expressions are indications that the person by whom the proclamation is issued means again to render his native land a scene of that discord which the hon. Member says he wishes to prevent. That proclamation seems to me, if it mean anything, to mean this, that we are to expect Spain again to be the theatre of civil war; originating from, and carried on by, the adherents of that party of which that Prince is the chief. Sir, I should be most sorry, indeed, if such a result were to take place; and I must say, that, judging from the conduct which that Spanish Prince has pursued since he has been prominently before the public eye, if this course be pursued by his friends, and if through the partisans of his family Spain is again made the scene of a bloody civil war—I should say, judging from what has been seen of the character and conduct of that Prince—such a course would not meet his approbation or his sanction; and I should hope any person in this country who may have the means of giving advice to that illustrious individual would use their influence with him to induce him to restrain his followers, and prevent Spain from being again exposed to those calamities which have resulted to it during former civil wars.

Sir DE LACY EVANS participated in the wish expressed by the noble Lord that Spain should not again be the theatre of a civil war, and did not wish to impute to the hon. Member who had introduced the subject any intention of promoting such a design. But it was due to his own character not to sit silent when he heard general remarks, even incidentally, from the noble Lord, which might seem to impute indiscriminate conduct of the kind he had condemned to all those who bore arms during the last civil war. He arrived in Spain immediately after the Elliot Convention, and he continued to serve there during the whole period of his engagement—namely, two years. With regard to the observations thrown out by the noble Lord, as if both parties had been equally criminal, he was bound to say, and he could state it upon his honour, that to his knowlege not one of the general officers serving under the Queen, who were in co-operation with him, were otherwise than most anxious, throughout the whole of those two years, to carry the Elliot Convention into effect. From private conversations with the officers themselves, and from his own personal knowledge—for he was aware of their actions—he repeated, he did not believe that any one of the Spanish generals serving Her Majesty Queen Isabella had violated that convention during the whole time he served with them. With reference to himself, it was notorious that he had not only observed the treaty, but by observing it he even suffered murders and assassinations—for they were nothing else—to be committed upon our fellow-subjects, in direct violation of the convention. It was, therefore, rather extraordinary to hear the representatives of a fallen dynasty—for it was fallen—plume themselves upon their peculiar humanity. He did not mean to deny that great outrages had been committed by both parties during some periods of the civil war; but as to that in the Basque provinces, whilst he was there, he could bear testimony that the general officers of the Queen were anxious to humanize it, and they had not in the slightest degree subjected themselves to reproach. As to his own conduct, in consequence of the Durango decree, he was sorry to say, that, not having been sufficiently discountenanced as it should have been by either Government—for he always thought both the Spanish and the English Governments should have stepped in and protected British subjects from such barbarous treatment—he, as an individual, could not take upon himself the responsibility of avenging the cruel punishments inflicted under it, seeing that he was supported by neither Government. He was, therefore, obliged to conduct his operations with more caution, so as to protect the lives of the officers and men under his command, and to see that they did not undertake any operations which might expose them to the danger of falling into the enemy's hands. The consequence was, that in the two years, during which he was being constantly denounced in that House, not one detachment, not so much as a sergeant's guard, were taken prisoners from his troops. But some individuals, by falling back from the column, were caught hold of or kidnapped: they numbered about forty during the two years, and they were murdered in a cruel and cowardly manner, under the authority of those officers who were now ready to hoist the standard of the Count de Montemolin in Spain. He repeated once more, that it was too much for these gentlemen to plume themselves now upon their humane mode of conducting their part of the civil war in that country. And what had been the eventual result of his proceedings? Why, that he had himself one ground of vindication which was to him a matter of the highest satisfaction. On one occasion he took 1,000 prisoners and 100 officers. He had these men in his hands, with the full power of putting every one of them to death, in retaliation for the atrocities upon the other side; but he did not use his power. The consequence was, those officers addressed a letter to Don Carlos, deploring the atrocities to which they had previously been parties towards some of his (Sir De Lacy Evans's) men; beseeching Don Carlos to change the conduct which he had adopted during the war, and to treat in future the prisoners who would fall into his hands with humanity. He said, then, that in this letter to Don Carlos, which was afterwards applauded by his most violent opponents, he had his vindication and satisfaction. But he would go further. After he left Spain, what had been the effect of this address — an address which surely ought to have produced some change in the counsels of Don Carlos? Why, that a hundred men, who had re-enlisted in the Spanish army after he had left the country, were taken prisoners, and every one put to death. This was his vindication; and it was his answer to the hon. Gentleman who brought forward the subject.

LORD J. MANNERS said, when the gallant Gentleman, an English officer, took credit to himself for not causing 1,000 soldiers and 100 officers to be put to death in cold blood, he should recollect that the troops thus spared had been taken prisoners while fighting for what they believed the claims of their rightful Sovereign, and the true interests of their native country; while the troops the gallant Gentleman had commanded were engaged in an unscrupulous and unprincipled invasion, and were fighting in a cause in which they had no legitimate interest or concern. With pleasure he turned from the gallant Gentleman to the speech of the noble Lord (Lord Palmerston), and he trusted that the tone and spirit the noble Lord had exhibited would be imitated. With reference to the illustrious Prince alluded to by the noble Lord, he believed that everything that had fallen from the noble Lord would be received by the Prince with respect and deference. He trusted that what had fallen from the noble Lord would have the effect of inducing the officers of the Queen of Spain to act upon principles more humane than those expressed in the proclamation referred to as recently issued, and that there would be, not only in Spain, but throughout Europe, one feeling of horror and detestation against any set of men, or any Government, perpetrating such monstrosities.

Sir De L. EVANS wished to ask the noble Lord, whether it was according to the true construction of international laws, that a proclamation denouncing civil war in a foreign country, should be permitted to be put forth by a person who was at the time receiving the hospitality of this country?

Mr. BORTHWICK wished to explain. He thought he had very cautiously guarded himself in every word he said against any possible allusion, however remote, to the conduct of either the one side or the other in the late civil war in Spain. He had not one word of blame to cast upon the gallant Officer; and those who remembered what passed during the absence in Spain of the gallant Officer, would acquit him of ever having said one word inconsistent with the respect for the gallant Officer which he had always entertained for him. He did not say one syllable against the gallant Officer or any one else. He meant himself to say that the observations to which he had given utterance, referred to the conduct of the Count de Montemolin and the present state of Spain, and that the proclamation which he read to the House had been misconstrued by the gallant Officer. He would leave the noble Lord to answer the gallant Officer as he thought proper; but he (Mr. Borthwick) must explain that the proclamation which he read did not threaten to make war, but, on the contrary, forbade the partisans of the Count de Montemolin in Spain from making any reprisals when war was made on them.

Viscount PALMERSTON said, that in answer to his gallant Friend he would state, that it would be a great abuse of the hospitality which this country afforded to all foreigners, whatever might be their rank or title, who chose to reside here, to issue proclamations or publications intending to excite war in friendly foreign States.

Subject dropped.

MORTALITY IN IRELAND.

Lord G. BENTINCK wished to renew the inquiry he had made a few days previously on the subject of the mortality in Ireland. He wished to ask the right hon. Gentleman the Secretary for Ireland whether he had made any serious and energetic efforts to obtain a comparative return of the number of deaths which had occurred this year with those which had occurred in previous years? He had already shown the right hon. Gentleman a letter which he had that day received from Ireland, and when he stated from whom it came, the House would not doubt the authority of the writer upon this subject. It would be in the recollection of the House, that at first it was denied that the Protestant clergy of Ireland kept any registry of the deaths. When it appeared that that was an entirely incorrect assumption, it was replied to him that it was not possible to obtain a return of the number of deaths which had occurred in the flocks of the Roman Catholic clergy. He had that day received a letter from John, archbishop of Tuam; and when he read it, he thought the House would be satisfied that there was no difficulty, if the Government desired it, of obtaining a return of the number of deaths in the flocks of the Roman Catholic clergy. The letter was to this effect:—

> "The return your Lordship requires of the number of deaths that have occurred from, say the 1st of January, of this year, to the 25th of March, can be supplied by the Roman Catholic clergy, and signed by the medical attendant in the locality. But, alas! contrasted with the number of deaths that occurred within the same period of other years, it will show 20 to 1, at the least, this year, more than in any preceding it. The names of the persons can also be given."

He, therefore, begged leave to ask the right hon. Gentleman whether he was prepared or not to send a circular to the Roman Catholic clergy of Ireland, asking for a comparative return of the mortality that had occurred in the period he had before named?

Mr. LABOUCHERE said, that upon a former occasion, when the noble Lord had introduced this subject, he had stated that he was not at all prepared to deny the unfortunate fact, that a great mortality had occurred in Ireland, owing to the distressed condition of that country. He also stated that as far as any accurate information could be procured on that subject, he had no objection to produce it, and that the Government had consented to refer to the coroners' inquests in the different parts of the country, and also to the constabulary, to obtain, as far as they could, that information; but he stated also, that he thought on this subject that from sources of such a vague and conjectural character the accuracy of the information could not be relied on. The noble Lord spoke of obtaining the return through the means of the Protestant clergy, who kept a registry of burials. In consequence of what the noble Lord said upon that occasion, he wrote to Ireland for information on the subject; and he had that morning received from Mr. Redington a communication which showed that he was not wrong as to the great difficulty of obtaining information through the means of the Protestant clergy. Mr. Redington said—

> "I have since seen Dr. Hinds, and he says, that 'he does not consider that the registry of deaths kept by the incumbent of each parish could be relied on, as he is aware that it is most imperfect in many places. Moreover, it would be a register only of those interred in the yard adjoining the church, and would not contain any notice of interments made in open churchyards (the principal places of interment in Ireland), and, in fact, it would be quite defective.'"

He thought the noble Lord would agree with him that a return of this kind would be most unsatisfactory, and answer no purpose. The noble Lord now called his attention to the possibility of obtaining a return of the same kind through the medium of the Roman Catholic clergy in Ireland. It must be observed that they were not public functionaries in the same sense as the clergy of the Established Church; and he presumed that the Government had no power of enforcing a return. When, too, the subject was discussed in that House, several Roman Catholic Members rose in their places and said that those returns could not be relied on. The noble Lord, therefore, could not be surprised if he doubted the possibility of procuring, by such means, the information the noble Lord required. He would say, however, that in consequence of the letter which the noble Lord read, he would again make inquiry, and endeavour to find out whether, through the medium of the Roman Catholic clergy, it were possible or practicable to obtain returns on this subject, the accuracy of which could be relied on. He confessed that he greatly doubted it, and he was confirmed in that by several Roman Catholic Members with whom he had conversed on the subject. He assured the noble Lord that any opposition which he appeared to make to any suggestions originated on this subject, did not proceed from any desire to prevent that House from obtaining accurate information, but from the belief he entertained that none could be had upon the accuracy of which they could rely.

LORD J. MANNERS held in his hand a letter from a rector, in which that gentleman took notice of a statement made in Parliament to the effect that there existed no means whatever of ascertaining, with accuracy, the number of deaths which took place in any part of Ireland during any given period. The writer of the letter considered such statement to be exceedingly strange, and denied that it had any foundation.

LORD J. RUSSELL wished to take that opportunity of saying that the returns moved for by the Members of that House occasioned a vast increase of labour in the public offices, both here and in Ireland. In Dublin, especially, there had never been known a pressure of business so severe as that which now unhappily prevailed in the offices connected with the Government. The clerks were often employed from five o'clock in the morning till eleven at night; and he hoped that when hon. Members asked for a great number of returns, comprising a great number of figures, they would bear in mind that the subordinate officers of the Government had already much more to get through than it was practicable for them to accomplish.

MR. BELLEW confirmed the statement mede by the right hon. Gentleman the Secretary for Ireland. It was impossible for the Catholic clergy to supply information respecting the deaths of persons not belonging to their own flocks; and even as regarded their own flocks, he did not believe it was always possible for them to be perfectly accurate. Then, it was to be remembered that the Catholic clergy were under no obligation to make these returns; and he feared that, if made, they would, on the whole, not prove satisfactory.

MR. DISRAELI observed, that the remark made by the noble Lord on the state of the public service might be very just; but he could not help saying, that if returns were moved for of the quantities of pigs and poultry consumed within a given time, there would not be the least objection raised to any such return. Now there was, however, a remarkable and unprecedented mortality afflicting the sister kingdom, and the difficulties placed in the way of obtaining an exact statement of the deaths appeared to be insuperable.

LORD J. RUSSELL said, his observations applied to returns generally, and not to the particular case now under consideration.

MR. W. S. O'BRIEN wished to know if Dr. M'Hale should volunteer to supply those returns, whether the noble Lord at the head of the Government would lay them on the Table of the House?

Lord J. RUSSELL could have no objection to laying accurate information on the Table of the House; but he should not willingly supply to Parliament returns obtained in any unusual manner.

Mr. P. SCROPE hoped that the Government would make it the first duty of the relief committees to take a census, contrasting the present and the former condition of the country in reference to the numbers of destitute persons. It was apparent, from several documents laid on the Table of that House, that most deplorable ignorance prevailed with regard to the condition of the people of Ireland; but, if an accurate census were made, they would no longer hear of persons dying from neglect.

Mr. LABOUCHERE said, that one of the earliest steps which the Committees were taking, was to obtain lists of the destitute poor in their respective districts: whether they would go further in that way, he was not then prepared to state.

House in Committee on the

POOR RELIEF (IRELAND) BILL.

Mr. P. SCROPE moved the insertion of a clause, enlarging the maximum extent of land which the guardians of any union are empowered to purchase or hire and occupy with their workhouse, from twelve to two hundred acres; and likewise that any buildings hired or erected by them upon or near to such land, be considered a part of such workhouse. Then he contended that there was a degree of harshness in confining a large number of able-bodied paupers in a close building, without the opportunity of out-door exercise, whereby their health might be improved, and the country benefited by their labour. There was a union near Manchester, which had often been referred to for its enterprise and good arrangement. The board of guardians had purchased and reclaimed a portion of Chat Moss by the labour of their paupers, and land which was formerly worth nothing was now worth 50*s.* an acre. What had been done on the bogs in England, might be done on the bogs in Ireland. The difficulty of employing the able-bodied poor in Ireland had been always great. That difficulty would be much increased now; and were they to say that the able-bodied going into the workhouse, were to be confined there in a state of idleness, their country losing their services, and themselves losing their habits of industry? He thought it most desirable that boards of guardians should be enabled to purchase 200 acres of waste land to employ their paupers upon. As soon as one 200 acres was reclaimed, it might be sold, and another lot purchased. Thus would they give to boards of guardians a greatly extended sphere of usefulness, whilst he did not see one principle upon which the plan could be opposed. The hon. Member concluded by moving that the clause be brought up.

Clause read a first time.

On the Motion that it be read a second time,

Mr. W. SMITH O'BRIEN said, he trusted the hon. Member would take the opinion of the House upon this Motion; and if he did, he (Mr. O'Brien) should certainly vote for him. He thought that great good would result in many cases from the adoption of the plan proposed. Small estates in fee would be erected, and the able-bodied pauper would be beneficially employed.

Mr. SHARMAN CRAWFORD supported the Motion. Their great object was to make pauper labour productive. If they could make the pauper support himself, and at the same time add to the improvement of the country, they would do much to diminish the evils of the poor law.

Mr. SHAW entirely objected to the principle of the clause. He had before opposed the Board of Works being made the public farmers of Ireland. He thought it would be still worse to employ the boards of guardians in that capacity. The great desideratum in Ireland was to teach the labourers habits of independence and self-reliance. How would it be possible to employ paupers to a large extent in the cultivation of the soil, without in the same proportion displacing independent labour. Let the House recollect—he had often repeated the statement in the House, but it was of the very essence of the poor-law question, and bore upon it in almost every shape and variety—and that must be his excuse—that the proportion of labourers in Ireland to those in England, compared with the produce of the land, was as four to one—the average wages as 2*s.* 6*d.* a week in Ireland to 10*s.* in England. Would the hon. Gentleman then inform the Committee how, under such circumstances, the condition of the pauper labourer could be rendered inferior to that of the independent labourer? No one deplored more than he that such was the condition of the Irish labourer; but they must deal with the fact as it existed; and while they endeavoured to employ that surplus labour which caused it on public works, improvement of estates, reclamation of waste lands, and by every other means of independent earning to the labourer, let them avoid such a system as that proposed by the hon. Member, whereby the pauper labourer would be better fed, better housed, and better clothed than the independent labourer, and employed at lazy work, where his wages would not depend upon his exertions, else you would draw off the entire labouring population from free, industrious employment, and demoralise the whole community.

Colonel **RAWDON** had seen much advantage derived from the employment of paupers in making clothes, and in similar occupations. Their present difficulty was, that they had a large number of paupers whom they did not know how to employ. He (Colonel Rawdon) thought they might be employed advantageously in obtaining their own subsistence, and he saw no objection to allowing boards of guardians purchasing land and employing the paupers upon it.

Sir G. **GREY** said, the hon. Gentleman the Member for Stroud seemed to think that there was a great inconsistency in Parliament proposing a measure for the reclamation of waste lands, and yet opposing his Motion for the employment of paupers in the manner proposed by him. Now it certainly appeared to Her Majesty's Government that the clause which the hon. Member had proposed, instead of having the effect he conceived, would be the means of increasing pauperism. He was of opinion that to enable boards of guardians to employ paupers in any farm work or reclamation of waste land, coupled with that important provision of the hon. Member's that that land need not be near the workhouse, would only be to provide an extensive system of out-door relief. The hon. Member assumed the fact that they were shutting up in the workhouses a large number of able-bodied men; and he showed how absurd it was for them to do that. Now, the largest rural workhouses in Ireland held about 1,000 persons; but not one-fifth or one-sixth of those were "able-bodied," the great majority being women, children, and infirm persons. It must also be remembered that there was at present a provision by law, by which twelve acres of land contiguous to the workhouse might be used by the guardians for the employment of the inmates of the workhouse; and he was assured that, up to the present time, the guardians had not been able to cultivate even these twelve acres of land, but had been obliged to employ hired labour for the purpose. The fact was, there had been very few able-bodied men in the workhouse; and he hoped and believed that when other sources of work should be opened up to them, there would be fewer still. The present year must not be taken by any means as a criterion. When the Bill for the reclamation of waste lands should come into operation, and other measures of a similar nature, it would not be necessary for the guardians of the poor with their pauper labour to enter upon work which properly belonged to, and should be executed by, independent labour. Upon these grounds he must oppose the clause which his hon. Friend had proposed.

Mr. **SHAW** said, the right hon. Baronet (Sir G. Grey) was substantially right. A few of the union workhouses contained more than 1,000 persons; but, on the average the workhouses contained less; for there were 130 workhouses accommodating about 100,000 persons. Of those there were returned 50,000 children under fifteen years of age, being the half. He believed there would be found a fourth of adult young women, who would be driven to ruin if turned out. The remainder were composed principally of the aged, sick, and infirm; so that there were but few able-bodied men in the workhouses; and, even if it were not on principle undesirable, it would be in fact impracticable, to till the quantity of land proposed by the hon. Member (Mr. P. Scrope) to be taken by the guardians, supposing him to confine the agricultural labour to those in the workhouse; but assuming, as he did, that the hon. Member meant to extend it to the class of labourers who might, under that Bill, receive out-door relief, then he repeated that that would tend to pauperise the whole labouring population.

Mr. P. **SCROPE**, in reference to what had fallen from the right hon. Gentleman the Recorder of Dublin (Mr. Shaw), observed, that he thought the strict confinement, the workhouse diet, and the other workhouse restraints, would be quite sufficient to render the condition of the pauper inferior to that of the independent labourer.

Sir H. W. **BARRON** said, that eight

years' experience as a member of a board of guardians had convinced him that the proposition of the hon. Member for Stroud provided the most wholesome and practically useful method of employing the pauper that he had heard devised. Though the Irish were exclusively an agricultural people, yet there was nothing the poor was so deficient in as a practical knowledge of agricultural pursuits. He thought that deficiency might be supplied by having a farm of a moderate size attached to every rural workhouse throughout that country; and he should make those farms model farms, with the view of improving the general husbandry of the country. He did not see any one mischief that could arise from such a system. As for the paupers being better off than independent labourers, he would observe first, that the Irish did not like restraint. In addition to that, how could it be said, if men would not remain in the workhouse when they had no work to do, that they would remain when work was exacted from them? But suppose the expenditure should prove a failure. There was no risk, and could be no loss. They were not called upon to make any grant; no capital was required. The capital was in their own hands, it was the labour of the poor man whom at present they were supporting. If they failed, no loss was incurred—if they succeeded, a great benefit was to be derived, and he should most certainly vote for the clause.

Lord J. RUSSELL said: I believe the House cannot make a greater mistake, in considering the Bill before it, than by pursuing the course of my hon. Friend behind me, who would have us consider two or three objects at the same time. When you are considering a matter of public works, it is your duty to make them as effective and useful as possible; and when you are considering a Poor Relief Bill, make it as efficient as possible; but do not aim at the accomplishment of other objects at the same time. My hon. Friend behind me wishes to make model farms—he wishes to establish a great deal of pauper labour under the conduct of the poor-law guardians, and thereby to improve the agriculture of Ireland. Now, I believe that in so doing he would fail in his object. He would neither improve agriculture nor make good model farms. He would have a number of paupers who would be inefficient labourers, employed under unskilful overseers, and would, while engaged in this object, lose the object which he had in view, namely, the relieving in the best possible manner of those people who are starving. When I say, in the best possible manner, I mean by applying a test to those to whom you give relief. I would say to the pauper, "As you are quietly starving, and have no means of obtaining labour and wages, we will give you food, sustenance, and shelter; but it shall be on a condition that shall show you have no other resources, and are obliged to ask for this support." My hon. Friend says he does not understand why it would be at all better for a man to be confined in a workhouse, than to employ him as a pauper labourer upon farms. The reason is, as we know by experience—by very costly experience, I am sure—that confinement in the workhouse is found to be very irksome to the labourer. He does not resort to it without he is obliged to do so. If he is confined in the workhouse, he is, as it were, in a barrack; he will rather work for the greater part of the day in the fields, and return to the workhouse in the evening; he will not find it so unpleasant a life as the usual life of a hard-worked independent labourer; and he will, therefore, have resort to the workhouse when he is not actually obliged to it by necessity, and we should have evils such as have been pointed out by the Archbishop of Dublin. I do not apprehend so much evil from the working of the proposed system as he has mentioned; but I do not think, if you adopt a clause of this kind, you would give to the workhouse the character which it ought to have among the labouring population. I think the workhouse, under such a system, would become an object of resort to those who are not obliged to resort to it for their sustenance. I must repeat, that I think, when you are considering the question of poor relief, you had better consider what is the best system of affording relief to the poor of Ireland, and that the question of agricultural relief, or the establishment of model farms, should be entirely a subject of a separate measure. I think that you had better confine this measure to that object for which it is intended.

Colonel ROLLESTON concurred in the views of the noble Lord as to the desirableness of confining this measure to its original object; but he might observe, that, in addition to the instance which the hon. Member for Stroud (Mr. Scrope) had brought forward, there was another union in this country with which he (Col. Rolleston) was acquainted, in which the guardians had employed a portion of their able-bodied men on a farm attached to the workhouse; and he knew that the best results had followed. He was not prepared to go to the extent of the hon. Gentleman; but he should willingly support a modified system of farming in connexion with the workhouses. The union in England to which he alluded, employed between thirty and forty able-bodied persons on their farm, and found the system to work economically and beneficially: not only men, but young women and boys, were employed on the farm. He hoped that steps would be hereafter taken by the Legislature to carry out, on a modified scale, the proposals of the hon. Member for Stroud, as he was convinced that Ireland would be greatly benefited by such a scheme.

SIR W. JAMES could not accede to the proposition of the hon. Member for Stroud, because he believed that it would act prejudicially towards Ireland. It would have a tendency to destroy an independent spirit upon the part of the labouring classes of Ireland. Besides the fallacious scheme of the hon. Member for Stroud, there was another fallacy which appeared to him to be equally dangerous—he alluded to the doctrine which had been laid down as to the duty of the Government to feed the people, irrespective of any effort on the part of the people to feed themselves. But while he said that, he wished it to be understood that he was prepared to second the views of the hon. Member for Stroud on a modified scale, because he considered it to be preferable to what was called the workhouse system of the country—he was convinced that many evils resulted from continual confinement in the workhouses, which became a species of gaol to the people. He would not say that the evils flowing from continual confinement in the workhouse were as great as those which attended confinement in gaols; but, to a great extent, the same evils, the same corruption of morals, certainly did result from the present workhouse system. He wished to know whether the right hon. Gentleman the Secretary of State would object to alter the clause as regarded the number of acres to be attached to the workhouses? He would suggest that the number be extended from twelve to twenty-five acres, or some such number. If the ground attached to a workhouse were extended to some such number as twenty-five acres, there would be an opportunity of establishing extensive industrial training schools. He believed that schools of that nature were at present attached to the workhouses in Ireland. Practical instruction in agriculture, &c., might be given to the able-bodied inmates of the workhouses, from which the most beneficial results would flow. At present the boards of guardians were not allowed to exercise sufficient discretion as to the parties to whom they gave encouragement. They ought to be allowed, as regarded employment in the gardens attached to workhouses, to confine their encouragement to persons of good character.

MR. LAWLESS was most anxious to see the attention of the Government directed to the great advantages which might be derived from the establishment of agricultural schools; but he did not think the workhouses were exactly the places to turn into such schools. It had been truly said that the Irish labourer entertained an indisposition to enter the workhouse, and he hoped that such a disinclination would long continue to characterize him.

SIR H. W. BARRON said, that some hon. Members appeared to have misunderstood his suggestion. His object was that they should use the capital they were about to apply in the best possible manner. He had no doubt that the labour out of the workhouse would be of a superior description to that performed by the inmates of such an establishment; nor did he suppose that the farms to which he had alluded could be made model farms of the best description. They ought, in his opinion, to make the best they could of the capital to be employed; and he thought, at all events, an option might be given to the guardians to take more land than that which each union possessed at present in any case when the guardians thought fit.

MR. CURTEIS objected to any increase in the number of acres, as he feared that great manœuvring would take place between the guardians if the number were increased; they might play into each other's hands with regard to the purchase of the land. He objected to the clause of the hon. Member for Stroud, as he believed that it would induce a great many able-bodied labourers to apply for parochial relief who would otherwise be content to employ themselves in out-door work without trouble to the unions.

SIR G. GREY said, the proposal of the hon. Member for Stroud was entirely different to that of the hon. Gentleman behind him (Sir W. James). He would take into consideration whether it would be prudent to give the boards of guardians power to attach more than twelve acres to the workhouses of their unions; and, if he approved of the proposal, he would be prepared with an additional clause to that effect when the Bill arrived at its last stage.

In answer to LORD J. MANNERS,

SIR G. GREY said, that it was intended that three acres should be allotted to each workhouse for the purpose of erecting a fever hospital. Those three acres would be quite distinct from the twelve acres to be attached to the workhouse for other purposes.

MR. SCROPE, in reply, said, that he did not seek by his clause for any increase in the number of acres. He would not trouble the Committee by asking them to divide upon his proposal; but, before he sat down, he wished to say this, that the whole of the arguments on this question seemed to him to consist of the invidious use of the term "pauper labourer;" but he must say, that he thought that pauper labour was better than pauper idleness.

Clause withdrawn.

MR. GREGORY moved the insertion of the following clause:—

"And be it enacted, that if it shall be proved, to the satisfaction of the board of guardians, at any time, that any occupier of land within such union, rated at a net annual value, not exceeding 5*l.*, shall be willing to give up possession of the said land, whether held under lease or as tenant at will, and to emigrate, together with all persons who may be dependent upon him for their support and maintenance; and that such occupier shall have been approved by Her Majesty's Principal Secretary of State for the Colonies, or such person as he may appoint for that purpose, as a fit and proper person to be admitted as an emigrant; and that the immediate lessor of such occupier is willing, upon the emigration of such occupier and his family, and upon the surrender of the land occupied by him, to forego any claim for rent which he may have upon the said occupier, and also to provide two-thirds of such fair and reasonable sum as shall be required for the emigration of such occupier and his family; then, and in such case, it shall be lawful for the board of guardians of such union, upon payment of such last-mentioned sum, to charge upon the rates of the electoral division, and to pay over to such person and in such manner as shall be directed by the Poor Law Commissioners, in aid of the emigration of such occupier, any sum not exceeding one-half of the sum contributed and paid by such immediate lessor as aforesaid, notwithstanding that any sum or sums so charged and paid may exceed in any one year one shilling in the pound on the rates of such electoral division, and notwithstanding that such occupier and his family may not be, nor have been, inmates of the workhouse of such union."

He trusted that the clause had been drawn up in such a manner, that it would not meet with any objection on the part of the Committee. He had thought it right that the general board of guardians, and not the guardians of the electoral divisions, should be the arbitrators in every case. He believed that some hon. Gentlemen considered it unfair that so large a proportion of the expenses as two-thirds, should be placed on the landlords; but he deemed it right and expedient that it should be so, because they would be greatly relieved by the removal of whole families at once from their districts. He would not enter into the general question of emigration, as it would be unseasonable to do so at the present moment; and, besides, he had a Motion on the subject on the Votes, which he would bring forward as soon as possible after Easter.

Clause brought up and read a first time.

On the question that the Clause be read a second time,

MR. SMITH O'BRIEN said, he had a Motion on the same subject upon the Paper, which he thought was preferable to that of the hon. Member for Dublin. If, however, the House preferred his hon. Friend's Motion, he would, of course, acquiesce in their decision, and forbear bringing forward his Motion.

SIR G. GREY said, the Government were not inclined to object to the introduction of the hon. Gentleman's (Mr. Gregory's) clause. He did not see any reason why poor parties that were desirous of emigrating from Ireland, should be compelled to remain three months in the workhouse previous to their emigration; he thought that that system involved an unnecessary expense. It was intended hereafter that the parties that applied for funds to enable them to emigrate, should first be approved of by the agents of the Secretary of State as fit parties to be sent out to the colonies. There had been several complaints made very justly by the colonists not long ago, that the parties who were forwarded to the colonies from this country were of the most depraved character; and it was therefore desirable that every precaution should be taken here against such abuses. Parties had hitherto been sent out who were totally incapable, and some of them unwilling, to work. He thought the clause of the hon. Gentleman (Mr. Gregory) would meet that objection against the present system.

MR. S. O'BRIEN was quite satisfied with the expression of the right hon. Gentleman's sentiments with regard to the clause before the Committee; he thought that from the words "it shall be lawful," it would appear that it would be compulsory upon the guardians to act. He thought it would be better to add, after "it shall be lawful for the guardians," the words, "if they shall think fit;" and at all events words ought to be inserted which would remove all doubt upon the subject.

SIR G. GREY considered that the words "it shall be lawful," implied a discretion in the guardians; but he had no objection to the addition proposed by the hon. Member for Limerick.

MR. P. HOWARD inquired if the right hon. Baronet intended that these parties should be allowed to emigrate wherever they thought fit, or only to our own colonies.

MR. GREGORY observed, that the persons about to emigrate must be approved of by the Secretary of State for the Colonies; and it was quite clear that the Secretary of State could not accede to any system of deportation. With regard to the clause of his hon. Friend the Member for Limerick, it opened at once the question of a system of colonization.

MR. P. HOWARD suggested that, after the word "emigrate," should be added, "to any British colony." If a party emigrated, and the cost of emigration was defrayed from his own resources, he ought to be at liberty to go where he liked; but if he went out assisted by the resources of the public, then he ought to go to a British colony.

MR. TRELAWNY was of opinion that an emigrant ought to be allowed to go where he liked.

Clause read a second time, and with amendments added to the Bill.

MR. GREGORY rose to propose the following Clause:—

"And be it further Enacted, That no person who shall be in the occupation, whether under lease or agreement, or as tenant-at-will, or from year to year, or in any other manner whatsoever, of any land of greater extent than the quarter of a statute acre, shall be deemed and taken to be a destitute poor person under the provisions of this Act, or of any former Act of Parliament; nor shall it be lawful for any board of guardians to grant any relief whatever in or out of the workhouse to any such occupier, his wife, or children. And if any person having been such occupier as aforesaid shall apply to any board of guardians for relief as a destitute poor person, it shall not be lawful to such guardians to grant such relief, until they shall be satisfied that such person has *boná fide*, and without collusion, absolutely parted with and surrendered any right or title which he may have had to the occupation of any land over and above such extent as aforesaid, of one quarter of a statute acre."

In proposing the above clause, he wished not to be understood as having changed his opinion as to the principle of out-door relief; but the House was so strongly in favour of it, that it was impossible longer to resist, especially when he found that that feeling in favour of it was more than reciprocated out of doors. Under such circumstances, it would be most wise in him and those who thought with him to abstain from further interference with the progress of the Bill; on the contrary, their duty was to endeavour to have the measure so fenced and guarded that fraud and imposture might not be encouraged. In consequence of the circumstances of Ireland, and the lax discipline which prevailed there, nothing ought to be left indefinite or undetermined. Some limit must be fixed where destitution might be said to cease, and out-door relief to end. It was impossible to define who was destitute, to gauge the amount of misery which constituted destitution; but it was clearly in the power of the Legislature to enact and to enforce that possessors of property beyond a certain amount should not be entitled to relief out of the public purse. It was to guard against such a contingency as persons of this class receiving public relief, that he brought forward this clause—that persons should not be encouraged to exercise the double vocation of pauper and farmer. Since he gave notice of his intention to move this clause, he had been in Ireland. He consulted persons the most intelligent and the most conversant with the condition of the people, and was by them assured that the limits of holding which he had formerly designed, "half an acre," was by far too extensive; and that there was no chance of the law working satisfactorily if persons holding more than "a quarter of an acre," were allowed to apply for relief. He accordingly inserted "quarter of an acre" in the clause. That was the quantity of land which it was stated was fitting for the labourers to hold in the Commons Enclosure Bill. In the original draft of that Bill, "half an acre" was the quantity defined; but subsequent inquiry and consideration induced its promoters to fix it at a quarter of an acre. Notwithstanding his repugnance to the general principle, he must admit that the able-bodied labourer had some claim for out-door relief. And suppose, for instance, the case of a labourer who worked hard all his life, increased the productiveness of the soil, and realized large property for the owner; accident, sickness, old age, or misfortune, placed him in destitution; his habits, feelings, instincts, were averse to the workhouse; in such a case who would say it might not be judicious to administer out-door relief, even where he might have a little garden and cottage? But the case was different where a man held a large piece of land—half an acre, one, two, or three acres—he was no longer an object of pity. He did not come before the public in *formâ pauperis*—he had not given up his holding—he had not done that which, by the bankruptcy law, would entitle him to his certificate. When he did so he would be entitled to relief the same as any other destitute person, but not until then. For these reasons he trusted the House would sanction the clause.

Mr. SMITH O'BRIEN said, that as he understood the Government were determined to accede to this clause, it would be useless for him to remonstrate against it. There were many instances, however, where it would operate harshly. If a man was only to have a right to out-door relief upon condition of his giving up his land, a person might receive relief for a few weeks, and become a beggar for ever. He thought this was a cruel enactment, and should therefore enter his remonstrance against it.

Mr. CURTEIS opposed the clause. It was restricting relief to the poor of Ireland, which relief might be sadly needed by that very class against whom this clause was intended to operate. He hoped the Government would not give it their sanction, as he could assure them the provision would be most unpopular in this country. The clause was meant to benefit the Irish landlords—a class which deserved little sympathy from the House or the country. What was a quarter of an acre of land? The peasant grew potatoes on it. Suppose his crop failed him; he must, in such case, give it up and go into the workhouse, or starve. It might be that the poor man, having a lease, would not surrender it. What then—must he hold it and starve?

Sir G. GREY had always understood that these small holdings were the bane of Ireland. The Government had given this subject much consideration, and were of opinion that great evil might ensue from an indiscriminate relief of all possessors of small holdings; they thought it would not be judicious that all such persons should be classed under the head "destitute persons," and entitled to the relief which was only meant for those who were really so. It was an ascertained fact, that among persons seeking for relief on the public works were the holders of small farms, many of whom gave up the cultivation of their own little holdings in order to earn 6*s.* a week under the Government system. It would be unwise to allow persons who held a considerable quantity of land to receive relief—it would be an encouragement to such persons to abstain from honest industry, and to throw themselves on the poor rates for support. At the same time it would be hard to say that those who held but a small garden and a cottage should, in no case, be recipients of public charity. Cases might arise where such was extremely desirable; but, as a standard must be fixed somewhere, he was disposed to agree with the hon. Member for Dublin, and support the clause. As, however, its immediate operation might press with hardship, owing to the present unfortunate condition of the country, he should move that some words, giving the clause a prospective operation, be inserted; say, for instance, from the 1st of November next.

Mr. NEWDEGATE thought the hon. Member opposite (Mr. Curteis) did not very clearly state what the feeling of the people of England was upon this subject. It surely could not be in favour of a law which would press with greater severity on the poor man than the English Poor Law, but rather the reverse. Now, this law was much less stringent; for whereas the English law would allow no labourer to be relieved who possessed anything more than his working tools, this measure, adapting itself to the circumstances of Ireland, would afford out-door relief to the man who held a cottage and a quarter of an acre of a garden. This provision he (Mr. Newdegate) thought was merciful and wise.

Mr. BELLEW was of opinion that the clause would most essentially aid the well working of the Bill in Ireland, and would tend to the gradual absorption of the small holdings now so extensively held, as well as the conversion of masses of starving peasantry into useful and well-paid labourers. Without such a clause, the poor law would tend rather to retard than to expedite this happy result.

Mr. P. SCROPE objected to carrying the clause so suddenly into execution. Its consequence would be a complete clearance of the small farmers in Ireland—a change which would amount to a perfect social revolution in the state of things in that country. Such a change might be desirable, if effected by degrees; but to introduce it at once would have the effect of turning great masses of pauperism adrift on the community—a catastrophe which would undoubtedly not be without its effects in this country. He might as well take the opportunity, while upon his legs, of setting right the hon. Member for Warwickshire (Mr. Newdegate) as to the operation of the English Poor Law. By that law it was not imperative upon the pauper receiving relief to part entirely with any property which he might possess. The matter was left in a great measure to the discretion of the board of guardians to be guided by the peculiar circumstances of each individual case.

MR. SHARMAN CRAWFORD, admitting that some limitation was necessary as to persons holding small farms and receiving public relief, yet could not agree to this clause, which was too imperative in its restrictions. If a man were to build a cottage on a small holding, it would be very hard, if under the pressure of sickness or some other calamity he should be obliged to part with his little property. He thought that under such circumstances relief might be afforded as a loan charged upon the property of the recipient. At all events, relief ought to be discretionary with the board of guardians. He should divide the House against the clause.

MR. M. BELLEW said, that where the poor were afflicted by sickness, they could apply to the hospitals or dispensaries, which were admirably managed and generally well supported.

MR. YOUNG wished to know, supposing the principle of the hon. Member for Rochdale to be adopted, where it was to stop? A man in the situation put by the hon. Member would be worth property to the extent of 30*l.* or 40*l.*; and certainly no such person ought to be flung as a burden upon ratepayers, themselves removed but one step from destitution.

MR. NEWDEGATE explained. The principle of the English Poor Law was as he had stated. It was only left discretionary with boards of guardians to dispense in particular cases with the letter of the enactment.

MR. WILLIAMS feared that the clause would be the means of producing very much oppression in Ireland.

MR. VILLIERS held it to be quite right that a man occupying half an acre of land should be obliged to give it up before receiving relief from the public. If there was anything which raised his hope of an Irish Poor Law being attended with advantage, it was this clause, the operation of which would tend to the conversion of small farmers to better paid labourers. He repeated that it was in this clause that he saw the prospect of a decided advantage to the people of Ireland.

MR. STAFFORD O'BRIEN said, it would be perfectly impossible, unless they placed the limit of relief somewhere, that any hope could be justly entertained that the agriculture of Ireland would prosper—that a system of money wages would be introduced—that the labourer would be independent—and the farmer enterprising; or that the landlord would invest his capital in the land.

MR. SHARMAN CRAWFORD said, the difference in the circumstances of England and Ireland were not sufficiently regarded. In England the landlord built a cottage for the labourer—in Ireland he built it for himself; and the effect of this clause would be to enable the landlord, if he chose, to take possession of the poor man's property.

MR. GREGORY must say that some hon. Gentlemen maintained the right of the poor to relief to an extent so extensive that they seemed to look on the property of Ireland as exhaustless. Many hon. Members insisted that the operation of a clause of this kind would destroy all the small farmers. If it could have such an effect, he did not see of what use such small farmers could possibly be. He should of course adopt any reasonable amendment that was proposed; but if some such clause as he had submitted was not carried, the cry of the "poor man's guardian" would be raised in every electoral division in Ireland, and the proper working of the Bill be thereby greatly impeded.

MR. M. J. O'CONNELL looked on that clause as a valuable alteration. It might not give complete satisfaction at first; but he was sure that before many years it would be found most useful. It would prevent that description of applicants who were neither labourers nor farmers—who were without the industry of the labourer, or the skill of the farmer. The hon. Member for Dublin had not perhaps taken the precise quantity of land as the groundwork of his clause, which he (Mr. O'Connell) should have selected; but to the principle he gave his decided support.

Colonel RAWDON: It might be a question how far such a clause as this affected the rights of descendants. Such a case was an extreme one; but it might occur, and should be considered.

Mr. ARCHBOLD felt bound to support this clause. To show the abuses which it was calculated to check, he might mention the fact that he knew a man holding twenty acres of land who applied for employment on the public works, A man holding ten acres of land had been admitted, and he believed was still employed on them. Men who retained these small holdings, and yet sought relief, were a nuisance, and the sooner they were deprived of their land the better. He did not wish that they should be harshly dealt with; but they ought not to be allowed to receive relief and yet retain their holdings.

Mr. SHAW, in deference to the suggestion of the hon. and gallant Member for Armagh, said, that the holder of one-fourth of an acre was required to give up his land before he acquired any right to relief; but to say that the descendants of a man so circumstanced could be affected in their rights of property, would require a considerable stretch of the imagination.

Mr. P. SCROPE wished to know whether the right hon. Secretary for the Home Department had formed any proximate estimate of the number of persons who were now receiving relief, but who, if this clause came into operation, must be left destitute, if they did not consent to give up their holdings?

Sir G. GREY had not made any such estimate: but he was satisfied that the effect of the clause would be to diminish the number of applicants for relief, and would have the effect of separating the really destitute from those who were in possession of land, but who really derived no benefit from it.

Mr. Alderman HUMPHERY thought a quarter of an acre in the proposed clause should be changed to five acres.

Sir G. GREY was afraid his hon. Friend did not clearly see the effect of his own Amendment. All holders of land up to $4\frac{3}{4}$ acres, would, according to such an amendment, be enabled to obtain relief without selling their land. His hon. Friend seemed to forget that a quarter of an acre was the *minimum* quantity of land designated; and the holder of two, five, or ten acres was of course compelled to sell his land before he could establish any claim to relief.

Mr. P. SCROPE must still express a hope that the clause would be reconsidered. When a man was starving, and was not allowed to endeavour to subsist by begging, it was left in the power of the guardians to refuse relief until they were satisfied that such a claimant had given up all the small holding he might possess. He thought such a provision inconsistent with the principle of the Bill—that all the destitute should have a right to relief.

The Committee divided on the question that the Clause, as amended, be added to the Bill:—Ayes 117; Noes 7: Majority 110.

List of the Ayes.

Adderley, C. B.
Archbold, R.
Arkwright, G.
Arundel and Surrey, Earl of
Baillie, W.
Balfour, J. M.
Bateson, T.
Bennet, P.
Bentinck, Lord G.
Berkeley, hon. Capt.
Bernal, R.
Bodkin, J. J.
Botfield, B.
Bowring, Dr.
Brisco, M.
Brooke, Sir A. B.
Brotherton, J.
Bruen, Col.
Buller, C.
Buller, E.
Busfeild, W.
Chandos, Marq. of
Clay, Sir W.
Cole, hon. H. A.
Coote, Sir C. H.
Corry, rt. hon. H.
Cowper, hon. W. F.
Craig, W. G.
Dick, Q.
Dickinson, F. H.
Disraeli, B.
Drax, J. S, W.
Duncan, G.
Dundas, Adm.
Dundas, Sir D.
Finch, G.
Fitzroy, Lord C.
Forster, M.
Fuller, A. E.
Gaskell, J. M.
Gladstone, Capt.
Grey, rt. hon, Sir G.
Grogan, E.
Grosvenor, Lord R.
Hamilton, G. A.
Harcourt, G. G.
Harris, hon. Capt.
Hatton, Capt. V.
Hawes, B.
Heathcote, Sir W.
Heneage, E.
Henley, J. W.
Hill, Lord M.
Hobhouse, rt. hon. Sir J.
Hope, Sir J.
Hope, G. W.
Howard, hon. C. W. G.
Howard, P. H.
James, Sir W. C.
Jervis, Sir J.
Jocelyn, Visct.
Jolliffe, Sir W. G. H.
Kemble, H.
Ker, D. S.
Labouchere, rt. hon. H.
Law, hon. C. E.
Lawless, hon. C.
Layard, Maj.
Lefroy, A.
Lygon, hon. Gen.
Macaulay, rt. hon. T. B.
Macnamara, M.
M'Donnell, J. M.
Maitland, T.
Mangles, R. D.
Manners, Lord J.
March, Earl of
Maule, rt. hon. F.
Maxwell, hon. J. P.
Moffatt, G.
Monahan, J. H.
Morpeth, Visct.
Morris, D.
Newdegate, C. N.
O'Brien, A. S.
O'Brien, C.
O'Connell, M. J.
O'Conor Don
Ogle, S. C. H.
Ord, W.
Patten, J. W.
Perfect, R.
Plumridge, Capt.
Pulsford, R.
Repton, G. W. J.

Rice, E. R.
Russell, Lord J.
Sanderson, R.
Shaw, rt. hon. F.
Sheridan, R. B.
Somerville, Sir W. M.
Stuart, W. V.
Stuart, J.
Strutt, rt. hon. E.
Tancred, H. W.
Thompson, Ald.
Thornely, T.
Tollemache, J.
Trelawny, J. S.
Tufnell, H.
Vesey, hon. T.
Villiers, hon. C.
Walsh, Sir J. B.
Ward, H. G.
Wyse, T.
Yorke, H. R.
Young, J.

TELLERS.

Bellew, R. M.
Gregory, W. H.

List of the Noes.

Crawford, W. S.
Escott, B.
Evans, Sir De L.
Humphery, Ald.
M'Carthy, A.
Scrope, G. P.
Williams, W.

TELLERS.

O'Brien, W. S.
Curteis, J.

Clause added to the Bill.

Mr. W. S. O'BRIEN rose to move the following Clause:—

> "Whereas it appears that in the formation of electoral divisions pauperism has been so allocated, in respect of the property liable for its relief, as to cause the pressure of poor-rate taxation to be very unequal: be it therefore enacted, that the Poor Law Commissioners shall revise and reconstitute the electoral divisions of the several unions in such a manner as that the pauperism of each district shall bear to the property liable for its relief as nearly an uniform proportion throughout each union as circumstances will allow."

The disproportion between the rating area and the amount of property in the electoral divisions was very great, as compared in the various electoral divisions. In some cases the poor rates were 1*s*. 6*d*., and in the adjoining division but 2½*d*. in the pound.

Sir G. GREY replied, that the inconveniences to which the hon. Member referred could be remedied by the Commissioners, who had power, under the existing law, to make regulations to obviate local grievances. It was, therefore, not necessary to insert an additional clause for that object. Disproportion of areas and rated property did no doubt exist; but it was impossible to lay down any general principle for the division of the country into districts which would bear an equal proportion of rating in every care as compared with the population.

Mr. G. A. HAMILTON could assure the Government there was nothing which created such dissatisfaction and caused such obstacles to the effective working of the system, as the disproportion between population and property in the existing divisions of the country. The electoral districts were laid down hastily and without sufficient care to observe a due proportion in this case; and it would be well if Government would instruct the Commissioners to revise them.

Clause negatived.

Mr. W. S. O'BRIEN then moved the following Clause:—

> "Whereas much inconvenience has been found to result from the great size of several of the unions of Ireland: be it enacted, that the Poor Law Commissioners shall revise and re-constitute the unions, so that no union shall contain more than 150,000 acres."

The size of the unions as they were at present constituted, was, in many instances, so great as to produce the most serious inconvenience, and to obstruct the operation of the system of relief. In one case the boundary of the union was thirty miles from the workhouse; and the distance which the guardians had to go in order to attend board meetings, and inquire into cases requiring relief, was so great as to render it very inconvenient, if not impossible, to attend to their duties.

Sir G. GREY objected to the introduction of a territorial standard, which might be found inconvenient in its application. He hoped that the hon. Gentleman would not press the clause.

Lord G. BENTINCK said, there were 130 unions in Ireland, the average of each of which was 227 square miles, so that some of the people, if they had occasion to go to the workhouse to ascertain if they could have relief, would have to travel, there and back, 24 miles. In others they would have to travel 21 miles. It must be admitted that this was a most enormous grievance, and nothing made the poor law in this country more unpopular than the large size of the unions. The Ballina union was past endurance. It covered 792 square miles, and the workhouse was situated at one side of the union; and the result was, that a person might have to travel in going to it, there and back, 46 miles. This grievance, which affected guardians as well as the poor, called loudly for redress, and he thought it would have been a great advantage if Her Majesty's Ministers had taken the opportunity of increasing the number of workhouses on a very great scale. If they had increased the workhouses to the same extent in Ireland as in England, it would have been of great benefit, and would have carried out the poor-law system upon a more wholesome principle, without demoralising the people, whilst it would have saved upwards of 4,000,000*l*. sterling this year. He did not mean by building palaces like some of the workhouses, but buildings upon a cheaper scale. If this had been done, thousands and tens of thousands, he believed hundreds of thousands, might have been kept at far less expense, without the jobbing attending employment upon public works. Upon this subject he had consulted Mr. Gulson, who, of all the Poor Law Commissioners, was the best acquainted with Ireland, and who had constructed houses for the reception of fever patients at a very small expense. By a return which had been circulated on Saturday last, he saw that the expenditure upon public works in Ireland, exclusive of draining, for the whole year, would be no less than 13,142,000*l.*, expended in the course of the year. The expense of the staff in the course of one year was 1,193,000*l.* Now, he was in a condition to show that if the Government had extended their works, and had erected 400 workhouses upon the principle adopted by Mr. Gulson, capable of containing 400,000 pauper families, which, reckoning 5½ in each family, according to the census of Ireland, would have made 2,200,000 persons—if this had been done, it might have been accomplished at an outlay of 800,000*l.* Then, taking the rations published last week, the whole of these people have been subsisted at an expense of 7,204,166*l.* 13*s.* 4*d.* [*Laughter.*] Yes, the Chief Secretary for Ireland laughs! He thinks it a very good joke to throw away millions of the public money. There never was a Government that lavished the money of the country in the way in which it has been lavished by the Chief Secretary for Ireland; and then he thinks it a good joke when a Gentleman gets up and shows to him that 4,000,000*l.* might have been saved under a different administration from that which has been adopted by the Government, for which he is responsible. He took (the noble Lord continued) the rations as they were promulgated last week by the Irish Government, and, upon that footing, that 2,200,000 persons, reckoning 400,000 men, 400,000 women, and the remainder children, might have been subsisted for 7,204,166*l.* According to their own reports, the expense of necessaries and clothing amounted to 3*d.* a head; that, he was assured, was a very high estimate, considering there were so many children. But, taking it at 3*d.*, that would add 1,430,000*l.* to this expense. Then the land would have to be purchased for the sites of these 400 workhouses, which, according to the average paid for the sites of those now existing, viz. 50*l.* an acre, would entail a cost of 160,000*l.* But it would only be reasonable to take the interest of money at 3½ per cent for the land, which would give about 5,600*l.* for interest. In like manner, it would be only reasonable to take for the outlay of the 800,000*l.* for the workhouses 6*l.* 10*s.* per cent, which, for twenty-two years, would give an annual cost of 52,000*l.* per year. But there were other expenses connected with the workhouses; there were masters, matrons, physicians, apothecaries, clerks, relieving officers, porters, nurses, and, more important still, schoolmasters and schoolmistresses, chaplains of the Church of England, priests of the Roman Catholic Church, and ministers of the Presbyterian religion—all these matters he had taken into consideration, and, according to the payments made to these various persons under the present law, he found that the whole of these upon the staff, with 400 new workhouses, containing each 5,500 inmates, would cost no more than 142,000*l.* a year. So that the maintenance of a staff of this description, consisting of 5,200 persons, would cost but 142,000*l.*, whilst the staff, under the present system, consisted of 11,587 persons, and cost 1,193,000*l.* a year. Thus, upon the staff alone, there might have been effected a saving of 1,050,000*l.* a year; whilst, taking the whole charge together, these 2,200,000 persons might have been as well subsisted, clothed, and educated, as they now were for 8,823,766*l.*, instead of the lavish expenditure of 13,143,500*l.* upon useless works—works worse than useless, because the people had been employed upon spoiling the roads. He, therefore, had shown that by his scheme of erecting 400 new workhouses, they might have had 530 unions and 530 workhouses, instead of 130 unions and as many workhouses, which would not only have added to the comforts of the poor, and brought the workhouses within three miles and a half of every inmate of the union, and within the same distance of every guardian to overlook them, and have thus brought all official persons under close and immediate supervision, but it would have saved, at the same time, no less a sum than 4,319,736*l.* in the course of a single year. They would also have had this security—they would have ceased to demoralise the peasantry who could get labour elsewhere, for they would not have consented to come into these workhouses; and none but the destitute, the sick, and those incapable of getting work, would have entered them. There would, at the same time, have been no quitting the cultivation of the land for the sake of getting small wages upon the public works. The land would have been tilled, and the people saved from dying; whilst the children would have been improved in their morals and habits, and in every respect the condition of the people would have been raised. "I am perfectly certain (said the noble Lord) that if you had had recourse to this system, we should not have heard of the thousands, the tens of thousands, or the hundreds of thousands —but we cannot learn from the Government how many hundreds of thousands they are, who have perished. It is the only subject of secrecy with the Irish Government. We can learn the number of bushels of potatoes, and the quarters of wheat and of oats that have been thrown on the coast of Ireland; but there is one point upon which alone the Irish Government are totally ignorant, totally careless, or else are determined to keep this country in darkness; and that is the mortality that has occurred during their maladministration of Irish affairs. Yes! they shrank from telling us. They are ashamed to tell us. They know that the people have died by thousands; and I dare them to ask—I dare them to inquire what the numbers of the dead have been—dead, through their mismanagement; dead, chiefly through their principles of free trade. Yes, free trade with the lives of the Irish people, leaving the people to take care of themselves when Providence has swept the food from the face of the earth—leaving the people, in a country where there are neither mills, nor stores, nor granaries, to perish. [Mr. LABOUCHERE: No, no!] Ay, the right hon. Gentleman may cry "No, no!" why does he not give us information, then? If he does not shrink from telling us the truth, why does he not give us the information which he now conceals from us, and then we shall know what the effects of his administration have been? How was it possible that a people suddenly deprived of their food, in a country where no description of food was allowed to cross without an escort, where no food grew amongst them save grass for cattle, and where the only food fit for man was stored in granaries by corn dealers who were attempting to feed the people with a new species of grain, to which they were not accustomed—how could such a people procure corn from their own resources? It was out of the question. And when the Government knew in the month of August that the potato crops, to the value of 16,000,000*l.*, had been swept away from a people who had no money to purchase other food with—potatoes being the labour coin of the country—how was it possible there should have been any other result than that that should happen which has happened, and that there should die such a number of persons as has never before been paralleled in any Christian country? ["Oh, oh!"] Oh, you groan, but you will hear again of this. The time will come when we shall know what the amount of the mortality is, and though you Gentlemen may groan, and wish to conceal the truth, yet the truth shall and will be known; the time will come when the public, and the world itself, will be able to estimate at its proper value your management of the affairs of Ireland."

MR. LABOUCHERE said: I beg to remind the Committee that the clause upon which they have to decide, and upon which the speech they have just heard is, I suppose, to be considered a commentary, is to this effect:—

> "That whereas it appears that in the formation of electoral divisions pauperism has been so allocated as to cause an unequal pressure of the poor rate: be it enacted that the Commissioners shall reconstitute the divisions in such manner as shall proportion the pauperism of each district to the property thereof."

Now, I am far too anxious that the Committee should proceed to the consideration of the important Bill now before them, to be tempted, even by the extraordinary project which the noble Lord has brought forward as a panacea for all the evils that afflict Ireland, to enter into any discussion. But the noble Lord has thought fit to make an assertion which I owe it to myself, to my own character, and to the character and feelings of the Government with whom I act, to make some reference to. The noble Lord has said that the Government were indifferent to the sufferings of the people of Ireland; and he has added that we were anxious to conceal the truth from the House and the country with regard to the effect of our measures. Sir, I shall content myself with giving to that assertion of the noble Lord a contradiction as explicit, as direct, and as complete, as my respect for this House will allow me. I will not be tempted by the tone which the noble Lord has adopted, to pursue this discussion. I feel too deeply the responsibility which rests upon me as a Minister of the Crown to lose, I trust, my temper in discussing a question of this infinite importance. In the present condition of the people of Ireland, no provocation shall induce me to do so. But I feel that, after having heard such an assertion as that which the noble Lord has made, I could not and ought not to have said less to the noble Lord than that which I have said. I apologize to the House for having interfered even for a moment with the business of the Committee, when that moment has been spent in a reply to such a speech as that which we have just heard from the noble Lord. I trust that we shall now return to the subject more calmly; and I hope that our future discussions with regard to Irish subjects—and I must say that, during the present Session, those discussions have, for the most part, been conducted on all sides with an entire absence of party feeling, from all inflammatory language, and with a careful and cautious desire to abstain from anything that might increase the difficulties of the Government, or produce excitement elsewhere, —will be resumed with a due sense of the magnitude of the responsibility that attaches to them, and that the same spirit which has hitherto been shown will be persevered in. I can assure the House of this, that if I have said anything that for a moment might be supposed to indicate a different spirit, it has been wrung from me by the charge that has been made by the noble Lord against the Government with which I am connected, and which I felt it impossible to sit silently by and hear without expressing my remonstrance against it.

Sir G. GREY thought that the clause was unnecessary, and hoped it would not be pressed.

Mr. REPTON was extremely sorry to observe the course that had been taken by the noble Member for Lynn, in the speech he had just delivered. He admired the Government for their endeavours to ameliorate the unhappy condition of Ireland, and offered them the humble tribute of his praise for their good, hearty, and, he believed honest intentions towards the people of that country.

Mr. SMITH O'BRIEN wished to place on record his opinion on this subject, and therefore should not withdraw the clause.

Mr. NEWDEGATE confessed that, excited by his argument, the noble Lord, perhaps, might have used language stronger than he had intended; but he concurred with the noble Lord in this—he did think that the Government were grievously impeded by an adherence to the principles of political economy, in the first instance, in dealing with the calamity in Ireland. He could not, therefore, concur with the hon. Member for St. Albans (Mr. Repton) in the encomium which he had passed upon the Government; but he would admit that the Government had made great exertions afterwards to free themselves from the embarrassments in which they were involved by having at first adopted those principles. At the commencement of the distress, he thought there had been a most unfortunate delay on the part of the Government, in coming forward to protect the people from this calamity. He would give the Government every credit for being taken by surprise at first; but he could not exonerate them altogether, and could not account for the fact except by attributing the delay to the stringent principles of political economy which were then adhered to, and which every humane man must be rejoiced to see had been since abandoned.

Clause negatived.

Mr. SMITH O'BRIEN then proposed a clause for the permanent establishment of relief committees in each electoral division; a clause to the effect, that workhouses should be provided by a national rate; a clause for a uniform valuation of rateable property; a clause rendering jointures, rent-charges, and other annuities rateable; and also a clause empowering guardians to put out to nurse orphans and deserted children not above 13 years of age; all of which were negatived.

Mr. V. STUART moved clauses to enable guardians to attach buildings or wards as infirmaries, where no infirmary was within six miles of the workhouse, and to enable the guardians to defray the expenses of conveying persons requiring surgical assistance to hospitals, and maintaining them there.

Mr. LABOUCHERE thought the clause would prejudice the full consideration of the subject of medical charities, and interfere with private subscription.

Clause negatived.

Lord G. BENTINCK: Sir, it will not be necessary for me to detain the Committee for any long period in offering for their consideration the two clauses of which I have given notice. It has been the universal expression of every Gentleman who took part in these discussions, that we ought, as nearly as possible, to assimilate the Poor Law of Ireland to the Poor Law of England; and the object of the first clause, of which I have given notice, is to liken the Poor Law of Ireland to the Poor Law of England. My object is to throw the entire rate upon the occupying tenant. This is the rule in England; and I believe that every gentleman conversant with the working of the English Poor Law knows that if it were not the case—if there were not those strong excitements to the ratepayers, and to those who employ the poor, at once to economise the rates, to prevent lavish expenditure, and to give profitable employment to the people, and thus, by employing the people profitably, keep them off the rates, the land of England, far richer than the land of Ireland, would be consumed by the poor. Therefore, the first clause which I propose to insert is, that for the future, holding sacred all existing interests—preserving all existing contracts as they are—to prohibit the occupying tenant, who, by the Irish Poor Act, is obliged to pay the rate—my object, I say, is to prohibit the ratepayer from deducting any part of the rate so paid from the lessor. The provision, therefore, is, that in all leases hereafter to be made, and as regards all tenants at will after the 1st of January, 1849, the occupying tenant shall pay the rate. I assume that the consequence of this provision will be that an equitable arrangement will hereafter take place between the occupying tenant and the lessor, and that henceforth every occupying tenant will reduce the amount of rent by the probable extent of the poor rate which the landlord would have to pay if the law as it at present stands had continued to be the law of Ireland. Irish Gentlemen are well acquainted with the provisions of the Irish Poor Law; but I had, perhaps, better explain the difference between it and the English law. By the English law, the occupying tenant pays the rates, but by the Irish Poor Law Act the occupying tenant does not pay the entire poor rate. He deducts a portion of the rent, amounting to half the rate he himself pays on the poor-law valuation. It is necessary to explain that the poor-law valuation in Ireland is estimated according to the net value, and it is paid after deducting all the probable charges for repairs, for maintaining the hereditaments which he holds, insurance, and every charge except tithes. The practical result is, that the valuers for the poor-law assessment are glad to set the lease at three quarters of the rackrent; so that while the rental of Ireland is 13,000,000*l.*, the presumption is, that the rackrent is 17,000,000*l.* sterling at the very least. The effect of this is, that while, nominally, the occupying tenant pays one half of the rate, the landlord practically pays two-thirds of the rate. Thus the inducement of occupying tenants to keep down the rate is much diminished. His poor relations get more by a high rate, than he loses by paying his proportion of it. Now, Sir, seeing that Ireland has only on the one hand 15,900 houses possessed by gentry, clergy, and farmers, whose rental is above 50*l.*; and on the other hand upwards of a million, inhabited by five and a half millions of people, a large proportion of which live in mud houses or cabins, which consist of a single room without windows or door, it must be apparent to the House that unless the most energetic measures are taken to watch the expenditure of the poor rate, it will, in fact, amount to confiscation. If I assume, as I think I safely may, that the expenditure now going on under the name of public works, will, in truth, be converted into poor-law relief, after the passing of this Bill; and when I reflect that they are spending at the rate of upwards of 13,000,000*l.* per annum, while the assessed rental is but 13,178,000*l.*; and consider all the other circumstances on which Irish property is placed, I do not exaggerate in the least when I say that her poor rate will be more than 20*s.* in the pound; therefore, it is of the utmost importance for us to guard in every way the expenditure of out-door relief from any unnecessary claims. I will not quote in proof of this more than one example. It happened in Queen's County, at Ballybogue, under the Poor Relief Act—called in Ireland Sir James Graham's Act—passed in the 9th of Victoria, chap. 2, by which power was given to employ the people on public works, charging the payment thereof on the cesspayers, a presentment sessions was held. Considerable distress existed in the parish before this expedient was adopted; at the sessions it was agreed, in preference to public works, to try to employ them in useful and productive labour. They did so, and though the cesspayers had to pay for the maintenance of the poor, they had the advantage of having their fields cultivated and improved. The Labour-rate Act passed by the noble Lord came into operation in the month of October, and then a change took place. By that Act the burden of employing the people was taken off the shoulders of the cesspayers, and placed on the landlords. Another presentment took place at Ballybogue East in the month of October; and there was no reason to suppose the distress was greater than in the month of April, when the first sessions was held. But then the cesspayers had changed their minds. They said then there was great distress, and they made presentments for the employ of 2,000 persons. The same persons who had decided to employ the people themselves in the month of August, decided also that they were extremely distressed in the month of April; while the fact was, that if the farmers and cesspayers had employed the people as they had done before, there would have been no necessity for public works; and for the 1,000 persons they had provided for, 1,500 were employed on the public works, and none in the cultivation of the land. When this was explained at the sessions, a titter ran round the assembly which plainly said, "They pay this rate, while we had to pay for the labour we employed." That is a practical example of the benefit to be derived from throwing the burden on the tenant. It may be truly said, that the landlord ought to do something; but what can 16,000 persons, the number of the landlords do, compared with 500,000 or 600,000 tenant-farmers? These are the reasons which have made me think that it will be for the benefit of all parties to throw the responsibility on the ratepayer; the effect of which will be, instead of having no interest in keeping down the rate as now, he will bargain with the landlord for a lower rent, and have both that and lower rates. All he can save out of the poor rates in employing the poor in the cultivation of land, will also be so much gained. In proposing this Amendment, I am only acting up to the principle laid down by the noble Lord who introduced this measure, in proposing to go into Committee of the whole House upon it, namely, "If we propose a rate, and say that the destitute must be paid out of that rate, every one will have an object in keeping down that rate." That is the object of the clauses I now propose. It is that the ratepayers shall have the greatest possible interest in keeping down the rate. The noble Lord acknowledges it is difficult to prevent abuses in the distribution of out-door relief; and it appears to me totally out of any one's power to prevent them, unless the great mass of the ratepayers are interested in their prevention. I think I ought to have the support of a considerable portion of Her Majesty's Ministers on the present occasion. The right hon. Gentleman the Secretary of State for the Home Department, in a late discussion, said three times over in the course of his speech, that their great object ought to be to assimilate as near as possible the poor law in Ireland and that of England. Under these circumstances I have a perfect right to claim the vote of the Secretary of State for the Home Department and the Chancellor of the Exchequer, who made a similar remark. Sir, I am aware that there will be objections raised to these clauses by the hon. Member for Limerick, whom I regret not to see in his place. His objection, I am told, is, that the clauses bear too hard on the middleman. I am bound to admit that they may bear hard on the middleman. I will assume, for instance, the case of an estate of 400 acres, in which shall be interested four landlords besides the occupiers. The head landlord A, receives 100*l.* a year from B; B, in his turn, receives 200*l.* a year from C; C receives 300*l.* from D; and D gets 400*l.* a year from the tenant. A, the landlord, lets the estate on a lease of 99 years; B for 21 years; C for 14 years; and D lets it to the tenant yearly. One of the effects of these clauses, if they be carried, supposing these relations to continue, would be, that the occupying tenant would pay, supposing the rate to be laid on, the 8*s.* in the pound which the poor law allows for the present expenditure; and I fear 8*s.* in the pound is lower than it will be this year or the next. The effect will be, that if the rates be paid by the occupying tenant in the first instance, he will deduct from D 80*l.*, or one-half; D deducts from the landlord over him 60*l.*, C. 40*l.*, and B 20*l.* By my clause the occupier will be discharged from deducting anything at all, and he will be compelled to make a new contract with D, and so will the others. And arguing on the same grounds, he would have to pay no less than 80*l.* out of the rates, and the others in proportion. This would certainly fall exceedingly heavy on the occupier and the middleman; because the only way in which he would be able to contend against this increased demand would be by carrying out the original intention of his lease, and himself becoming the occupying tenant, in which case the remainder of the contract would remain untouched by my clause; one set of tenants would be done away with—one class of middlemen (and the middlemen are by universal consent looked upon as the curse of Ireland) would be done away with; and instead of having a miserable set of poor tenantry under him, he would be obliged, either by himself or others, to cultivate his land, or employ others to cultivate it—he would be obliged to employ those who have been well described to-night as being neither farmers nor labourers, the one being without capital or skill, and the other without industry—to become regular labourers in his service. Therefore, I contend, that though the effect of my clause would be to cause this hardship on the middleman—on him who though he took a lease on an understanding that he should occupy it himself—yet it would have the good effect of obliging him to fulfil the duties of an occupying tenant. Sir, I think I need not trouble the House any further as regards that first clause. I hope I have made myself clearly understood as to the operation of that clause, and that I have kept nothing back. I now go on to the second clause. The object of the second clause is to reduce the number of little ratepayers, from whom it is very difficult to obtain the rate, and by reducing the number of those small ratepayers, to diminish also the inducement to sub-let farms. It is undoubtedly within the knowledge of all the Irish Members, that when the Poor Law for Ireland (the 1st and 2nd Vic. c. 56) was first passed, all the occupiers paid rates; but in the course of a few years it was found extremely difficult to collect the rates from some of those occupiers; and the 6th and 7th Vic. c. 92, was passed, by which the rates levied on all the occupiers up to 4*l.* were thrown upon the landlords. It will be also in the knowledge of English Gentlemen, that it is a common practice in many of the towns in this country to relieve the ratepayers under 6*l.*, and sometimes under 8*l.*, from the payment of those rates, and to throw the burden on the landlords. The intention of this law was to reduce the number of ratepayers from whom the rates in Ireland were collected, from 1,339,792 to 585,723. The effect of the clause which I propose for insertion in the Bill, will be to still further reduce the number of ratepayers by 76,527. There will still remain 509,196 occupying tenants. I do not wish to conceal it from the House, that the change proposed will have the effect of throwing, to a certain extent, the burden of the rates upon the landlords; but on the other hand, it will have the effect of reducing the number of the lowest class of ratepayers, and of raising the general character of the ratepayers that remain; and I hope it will also have the effect of improving the character and station of the guardians to be elected by them. All must depend upon the conduct, the exertions, and the independence of the guardians who are hereafter to control the expenditure of this enormous sum of money. I think, Sir, I have now explained the intent of both the clauses that I have proposed to introduce into this Bill. I believe, in common with every gentleman both in and out of the House, that this Bill is a terrible experiment. I feel that there is too much reason to fear that the effect of this poor law must be something very like a confiscation of property in Ireland. And, when I saw that the existing workhouses contained 111,000 paupers, whilst there were 708,000 more employed on the public works, I did feel that my right hon. and learned Friend (the Recorder for the city of Dublin) was thrown upon the horns of a dilemma by the noble Lord opposite, when he asked—"If you do not agree with our plan, what plan have you to propose in return?" I, for one, hoped that other means might be found to employ the people of Ireland. I do not share with my right hon. and learned Friend the Recorder of Dublin, the blame of not suggesting some other measure for the employment of the people of Ireland. I did hope that there would be, in addition to that which I proposed, many other measures, on a great scale, and of a similar description, proposed by Her Majesty's Government, for the purpose of giving profitable employment to the people of Ireland. But that is not the case. I must deal with the matter as I find it; and I find it in this position, that there are 780,000 heads of families, representing at least 2,500,000 persons, for whom no means of subsistence can be found, unless this measure of out-door relief be carried. I felt that, if I acted upon what might, perhaps, be the true principle of refusing out-door relief, and seeing that the workhouses were already crammed, I must shut out all those persons from any relief whatever. If I said, "I have not room to put these starving people in the workhouse, and yet I will not give out-door relief to the able-bodied," I felt that I should be passing a sentence of death upon 2,000,000 of people. And anxious as I am by every possible means in my power to protect the property of the Irish landlord, yet if the naked question is put to me in all its hideous ugliness, "Will you consent to confiscate the property of those 16,000 gentlemen, or will you pass sentence of death upon 2,000,000 of people who live in mud cabins without chimneys or windows?" I must say that the interests of property must give way to the greater interests of humanity. But, Sir, whilst I must say I feel it my most bounden duty, by every means that lies in my power to preserve property, as long as I am able, from any unnecessary waste, I do hope that in proposing the clause of which I have given notice, I shall go some way, at least, towards attaining the other object of providing for the poor. The noble Lord concluded by moving the following clause:—

> "And be it enacted, That, save as hereinafter provided, it shall not be lawful for any occupier of rateable property holding under any lease or agreement to be made or entered into after the passing of this Act, nor for any tenant at will, or from year to year, after the 1st day of January, 1849, to deduct from the rent to which he may be liable in respect of such property, any amount whatever in respect of any rate which may be imposed at any period subsequent to the date of such lease or agreement, or subsequent to such 1st day of January, as the case may be."

Clause brought up, and read 1°.

On the question, that the Clause be read a second time,

Sir G. GREY thought it would be very unreasonable to place the whole burden of the poor rates on the occupying tenant, and at the same time he had a great objection to increase the burden on the landlords. He entertained the strongest conviction that under present circumstances it would be inexpedient to adopt the proposition of the noble Lord. He did not agree in the statement that the 700,000 or 800,000 persons now employed on the public works were all heads of families, neither did he believe that they would be all thrown on the poor rates for subsistence when those works were completed. It was mischievous to hold out any such expectation to them. The object of the Legislature should rather be to stimulate them to raise themselves by increased activity and industry from their present deplorable condition. He could not consent to throw upon the occupying tenant the whole burden of the rates, nor did he see how doing so would have the effect of lessening the amount of those rates.

Mr. SHAW was astonished that upon no stronger grounds than those stated by the right hon. Baronet, the Government should resist the reasonable proposition of his noble Friend—to assimilate in the important respect then under consideration, the English and the Irish law. The House had forced upon Ireland the evil, and would it refuse them the advantage, of the English Poor Law? His noble Friend's calculation—with his known eminence as a calculator—might well alarm all Irish interests—for what said his noble Friend? That the rate would be eight shillings in the pound, and upon a rental of 13,197,000*l.*, be a charge of 5,278,800*l.* He (Mr. Shaw) would not be tempted back to the principle he had so anxiously contended against on a former evening, of out-door relief to the able-bodied; but when his noble Friend said that it became a question which he would sacrifice, the rentals of the landlords, or the lives of the population, and he could not hesitate between them—so, for his part, would he say—sacrifice the few, by all means, to save the many—provided only you could show him that by sacrificing the one you could save the other. But according to the showing of his noble Friend himself, that was not in the nature of things. You were only deluding the people by a promise which could not be realized. But, supposing the rate to be eight shillings in the pound, the right hon. Baronet said, how monstrous to throw that on the tenant! But did not the right hon. Baronet know perfectly that it was the landlord who would virtually pay it: the clause was to be prospective in its operation; and, as every landlord in England knew, the tenant would, of course, agree to pay so much the less rent by whatever would be the probable average charge for the poor rate; but then the great advantage was, that the occupying farmer would have the whole interest in keeping down the actual yearly rate, for as much as it exceeded the average would he lose, and in the same proportion that it was under it he would gain—he, too, being in the position to influence the amount by the employment of labourers, and a daily watchfulness over the rate. Then, when the right hon. Baronet boasted that they had granted the increase of *ex-officio* guardians, because the Irish landlord was more burdened than the English; his answer was, that even in that respect they had refused them the full benefit of the English law; for in England all the justices were *ex-officio* guardians, and in Ireland it was still only part. When his hon. Friend the Member for Northamptonshire first declared that he was willing to take the English law in its entierty, he (Mr. Shaw) dissented—because they had not in the Irish law either the right to relief, or out-door relief to the able-bodied; but now that they had inflicted those principles on them in Ireland, he agreed with his hon. Friend they had given them the bad points of the English law—let them also give them the good. Above all others, that of securing, that while in the end the landlord paid the average rate which was alone under the law chargeable upon his net rent—still, that by making the occupier wholly liable to the actual annual charge, you interested him to the utmost to watch over the administration of the poor law. At the commencement of the Session, the clamour in that House and that country was—extend the English Poor Law to Ireland. He then on behalf of Ireland demanded, in the conclusion of his speech as he had at the commencement, that as the House had given them the evils of the English Poor Law, they would at least let them also have its advantages.

Mr. BROTHERTON moved that the Speaker report progress. ["No, no!"] All the Orders of the Day had yet to be gone through.

Captain HARRIS thought that the noble Lord at the head of the Government wes entitled to much credit for the manner in which he had grappled with the very difficult subject of providing parochial relief for the poor of Ireland. He could not but express the surprise which he felt at the statement that it would prove ruinous to Ireland if out-door relief were allowed to the able-bodied labourer, whilst in England that system was found to work most economically and beneficially.

Sir W. JOLLIFFE, amidst cries of "Question," approved of the proposals of the noble Lord. He thought that the greatest possible good would result from making the occupying tenant liable to the rate.

Mr. M. J. O'CONNELL felt it to be his duty, as an Irish Member, to say, in reply to the right hon. Gentleman the Recorder of Dublin, that the Irish people had not called for a poor law. Under the plan proposed by the noble Lord, he was certain that more evil would be done to Ireland than all the good which they had attempted to do this Session.

Mr. SCROPE had never heard such outrageous amendments as the clauses proposed by the noble Lord. The whole of the tenantry of Ireland would be taxed for the relief of the poor; but the administration of that relief would be left entirely in the hands of the superior landlords. Such a proposition would be only sanctioned in an assembly of landlords.

Mr. SHAW, in answer to the speech of the hon. Member (Mr. P. Scrope) would ask one single question: "Do you, proud landlords of England, then, not contribute one shilling to the poor rate of England?"

Mr. S. CRAWFORD protested against the introduction of the proposal of the noble Lord, which would take the people of Ireland completely by surprise. Although the right hon. Gentleman the Recorder of Dublin knew that the relations between landlord and tenant in Ireland were very different to those in England, he had yet said that it was but right that the Irish Poor Law should be assimilated to the English Poor Law.

The Committee divided:—Ayes 75; Noes 79: Majority 4.

List of the Ayes.

Acland, T. D.
Adderley, C. B.
Antrobus, E.
Baillie, W.
Barkly, H.
Baring, T.
Bateson, T.
Bennet, P.
Bentinck, Lord G.
Brisco, M.
Brooke, Sir A. B.
Bunbury, W. M.
Cardwell, E.
Carew, W. H. P.
Chandos, Marq. of
Chute, W. L. W.
Clerk, rt. hon. Sir G.
Cole, hon. H. A.
Corry, rt. hon. H.
Cripps, W.
Damer, hon. Col.
Disraeli, B.
Douglas, Sir H.
Douglas, Sir C. E.
Emlyn, Visct.
Finch, G.
Fuller, A. E.
Gaskell, J. M.
Gladstone, Capt.
Gore, W. R. O.
Goulburn, rt. hon. H.
Grogan, E.
Halsey, T. P.
Hamilton, G. A.
Harris, hon. Capt.
Heathcote, Sir W.
Henley, J. W.
Herbert, rt. hon. S.
Hildyard, T. B. T.
Hill, Lord E.
Holmes, hon. W. A.
Hope, G. W.
Jocelyn, Visct.
Jones, Capt.
Ker, D. S.
Knight, F. W.
Law, hon. C. E.
Lefroy, A.
Lennox, Lord G. H. G.
Liddell, hon. H. T.
Lincoln, Earl of
Lindsay, Col.
Manners, Lord J.
March, Earl of
Masterman, J.
Maxwell, hon. J. P.
Mundy, E. M.
Newdegate, C. N.
Newry, Visct.
O'Brien, A. S.
Patten, J. W.
Reid, Col.
Repton, G. W. J.
Rolleston, Col.
Sibthorp, Col.
Stuart, J.

Sutton, hon. H. M.
Taylor, E.
Thompson, Ald.
Tollemache, J.
Vesey, hon. T.
Villiers, Visct.
Vyse, H.
Walsh, Sir J. B.
Young, J.

TELLERS.

Jolliffe, Sir W.
Shaw, rt. hon. F.

List of the Noes.

Aglionby, H. A.
Aldam, W.
Anson, hon. Col.
Archbold, R.
Arundel and Surrey, Earl of
Bannerman, A.
Baring, rt. hon F. T.
Barron, Sir H. W.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Bodkin, J. J.
Bowring, Dr.
Brotherton, J.
Buller, C.
Christie, W. D.
Collett, J.
Cowper, hon. W. F.
Craig, W. G.
Crawford, W. S.
Dickinson, F. H.
Dodd, G.
Duff, J.
Duncan, G.
Dundas, Adm.
Dundas, Sir D.
Dundas, hon. J. C.
Escott, B.
Evans, W.
Evans, Sir De L.
Fitzroy, Lord C.
Gore, hon. R.
Grey, rt. hon. Sir G.
Hall, Sir B.
Hawes, B.
Heneage, E.
Hobhouse, rt. hn. Sir J.
Hollond, R.
Howard, hon. C. W. G.
Howard, hon. E. G. G.
Howard, P. H.
Howard, Sir R.
Jervis, Sir J.
Labouchere, rt. hon. H.
Lambton, H.
Macaulay, rt. hn. T. B.
M'Carthy, A.
M'Donnell, J. M.
Maitland, T.
Mangles, R. D.
Marshall, W.
Maule, rt. hon. F.
Mitchell, T. A.
Moffatt, G.
Monahan, J. H.
Morpeth, Visct.
Morris, D.
O'Brien, W. S.
O'Connell, M. J.
O'Conor Don
Ogle, S. C. H.
Paget, Lord A.
Pechell, Capt.
Perfect, A.
Phillpotts, J.
Rawdon, Col.
Rich, H.
Russell, Lord J.
Russell, Lord E.
Scrope, G. P.
Sheridan, R. B.
Somerville, Sir W. M.
Stanley, hon. W. O.
Stuart, W. V.
Strutt, rt. hon. E.
Thornely, T.
Warburton, H.
Ward, H. G.
Wilshere, W.
Wyse, T.

TELLERS.

Hill, Lord M.
Tufnell, H.

Mr. SHAW then proposed to bring up clauses for the relief of the Irish clergy from the very unjust pressure of the poor law, as it affected their incomes under the existing law. The Government had agreed to those clauses. They were not everything he had desired; but as they were the best he could succeed in obtaining, with the consent of the Government, and it was in vain to divide the House against the Government, he was obliged to be satisfied. They at all events recognised the principle, that the tithe-owner should be charged upon his net and not upon his gross income; and although the Government refused some of the deductions he sought, yet these clauses would remove a great injustice, and place the tithe-owner upon the same footing in respect of the mode of calculating his net income as the landlord stood, namely—the rent for which, one year with another, their incomes would let from year to year—all rates, taxes, costs of collection, &c., being assumed for the purpose of the estimate to be paid by the tenant. As he had stated the case of the Irish clergy at considerable length before, and he was now proposing those clauses with the assent of the Government, he would bring up the clauses without further observation. The right hon. Gentleman moved the following clauses:—

"1. And whereas under the provisions of the said recited Act, the tithe composition, or rent-charge in lieu thereof, is liable to be rated only as and with the hereditaments upon which such composition, or rent-charge, is charged, and it is expedient that such provisions be amended: be it, therefore, enacted, that in all rates made for the relief of the destitute poor in Ireland, after the 1st day of November next, all tithe composition, or rent-charge in lieu thereof, shall be a rateable hereditament, and shall be separately rated as such.

"2. And be it enacted, that the rate made upon such rent-charge, or composition for tithe, shall be made upon the person in the receipt or enjoyment thereof, and shall be payable by him, and may be recovered by all the ways and means by which any rate made on any lessor may be recovered.

"3. And be it enacted, that from and after the 1st day of November next, every rate made for the relief of the poor in Ireland shall be a poundage rate made upon an estimate of the net annual value of the several hereditaments rated thereto: that is to say, of the rent for which, one year with another, the same might in their actual state be reasonably expected to let from year to year: the probable annual average cost of the repairs, insurance, and other expenses, if any, necessary to maintain the hereditaments in their actual state; and all rates, taxes, and public charges, being assumed for the purpose of estimating the net annual value to be paid by the tenant.

"4. And be it enacted, that in every valuation to be made for the purposes of poor-law assessment by the Commissioners of Valuation in Ireland, under the Act passed in the 10th year of Her present Majesty, entitled 'An Act to amend the law relating to the valuation of rateable property in Ireland'—tithe composition or rent-charge in lieu thereof, shall be separately valued, and the said Commissioners shall cause every rateable hereditament to be valued on an estimate of its net annual value, to be ascertained, as hereinbefore by this Act is provided; and every rate which, under the provisions of the said Act of the 10th year of Her present Majesty shall be made by any board of guardians on the valuation furnished to them by such Commissioners of Valuation, shall be made upon the person liable to be rated in such rate, according to the laws in force for the relief of the destitute poor in Ireland, anything in the said last-mentioned Act to the contrary notwithstanding.

"Provided that nothing herein contained shall be deemed to authorize the separate rating of tithe composition, or rent-charge in lieu thereof, for the purposes of any county cess or grand-jury rate, or any other rate whatsoever to which such tithe composition or rent-charge is not otherwise rateable by law."

MR. SMITH O'BRIEN objected to the clauses being then proceeded with. They were of too important a nature to be hastily discussed, and should have been printed in the usual manner.

SIR G. GREY supported these clauses.

Clauses agreed to.

House resumed. Bill as amended to be reported.

House adjourned at a quarter past Two.

HOUSE OF LORDS,

Tuesday, March 30, 1847.

MINUTES.] PUBLIC BILLS.—1ª Marine Mutiny.

2ª General Register House (Edinburgh).

3ª and passed: Markets and Fairs Clauses; Gas Works Clauses; Commissioners Clauses; Water Works Clauses.

Received the Royal Assent.—Drainage of Land.

PETITIONS PRESENTED. By Lord Brougham, from Bridport and several other places, against the proposed Government Plan of Education.—From the Parish of Kilgerran, for Alteration of the Law of Settlement and for a National Rate.—From Shepton Mallett, for Repeal of the Poor Removal Act.—By Lord Brougham, from the Presbytery of Forres, against the proposed Measures of Registration of Births and Marriages (Scotland).—From Bath and several other places, for Legalizing Marriages with the Sister or other more Remote Relation of the Deceased Wife.

THE LAW OF BANKRUPTCY AND INSOLVENCY.

LORD BROUGHAM said, that he had received a great number of letters on the subject of imprisonment for debt, and they all originated in a complete misapprehension of what had fallen from him. He had stated distinctly more than once last week, that persons who were in debt from misfortune had not the slightest ground to be alarmed by the statement which had appeared in a Sunday paper, which alleged that he had altered his opinion on the subject of imprisonment for debt, and that he had brought forward a measure for the restoration of the old law on the subject. Nothing was more groundless than such an assertion, and he had never said one word about the matter in connexion with the Bill. His noble Friend on the woolsack knew as well as himself that it was utterly impossible for the Legislature ever to retrace its steps on the subject of imprisonment for debt. A most respectable witness had that day been examined before the Committee on the Execution of the Criminal Law—he meant the governor of Lancaster Castle—who said that there were between seventy and eighty prisoners at present confined there for debt. Now there was no reason why the far greater portion of them should be there, for it appeared that they had been imprisoned in consequence of a bad and mistaken construction put on the Act of 1844: several persons also, it appeared, were imprisoned by order of the courts of request at Lancaster, for alleged contempt. He repeated that nothing could be more entirely wrong than the change of opinion on the subject which had been attributed to him.

ELECTION OF REPRESENTATIVE PEERS (SCOTLAND).

LORD COLVILLE moved—

"That there be laid before this House, A Copy of the Minutes of Proceedings which took place at Holyrood House, on the 17th Day of the present Month of March, at the Election of a Representative Peer of Scotland, to sit and vote in the House of Lords; together with the Titles under which the Peers respectively voted."

He did not believe that there would be any objection to his Motion, and therefore it would be unnecessary for him to detain the House on it; and from what had fallen on a former occasion from various noble Lords, he was satisfied that this subject would ere long be taken up by abler hands than his. He did not mean by the present Motion to throw discredit upon the body to whom the matter related; but he begged to observe that, while due care was taken both in England and Ireland that no person should exercise the privileges of a Peer without producing sufficient proof that he was entitled so to do, in Scotland there was no such precaution. All that was necessary on occasions of the kind to which his Motion had reference was, that a man should assert himself to be a Representative Peer, and take the oaths of supremacy and abjuration. This was a state of matters that ought to be remedied; and he trusted that in what he was now doing he was only the pioneer to clear the way for others who would, after Easter, take the subject into their more able hands. He saw in a Scotch paper that morning an allusion to the proceedings which had taken place in that House on Friday last, and in which it was stated that "some conversation arose on a statement made by Lord Colville, of Culross, that a fradulent assumption of his title had been made by an individual who had voted as Lord Colville, of Ochiltree, at the last election." Now, it would be in the recollection of the House, that he had stated that he was no more personally connected with the matter than any other Peer of Scotland. That the person who voted on the late occasion called himself by the title of Lord Colville, of Ochiltree, whereas his (the noble Lord's) title was Lord Colville, of Culross. He never said that it was an assumption of his own title; but he complained of it on public grounds, and as a matter in which not merely the Peerage of Scotland, but that House and the whole country, were interested.

Lord CAMPBELL was glad the noble Lord had brought the matter under the notice of the House; and he trusted that the subject would be pressed on the attention of their Lordships until the whole question was set at rest. It was a question not merely affecting the Scotch Peers, but it was a matter deeply affecting the public generally, for many persons were often defrauded by the improper and illegal assumption of the title of Scotch Peers by those who had not the slightest right to them. He hoped when the returns were laid on the Table, that the noble Lord would follow the Motion up by moving for the appointment of a Select Committee to inquire into the whole subject.

Lord BROUGHAM agreed that that was the proper course to pursue. As the custom at present stood, a mere mendicant might go into Holyrood House, and on the same claim could vote at the election of a Scotch Peer, and thus the result of most important questions might be influenced in that House.

The Earl of ROSEBERY agreed that the law was defective on this subject, but he thought that it would be better not to go into the question until the returns were before the House.

Motion agreed to.

ADJOURNMENT OF THE HOUSE—THE NEW HOUSE OF LORDS.

Earl GREY rose to move the adjournment of the House until after Easter, and said that, in consequence of a suggestion which had been made on a former evening by a noble Lord (the Earl of Wicklow), that their Lordships should adjourn to Thursday, the 15th of April, instead of to Tuesday, the 13th of April, the day originally named, he (Earl Grey) had made inquiries on the subject. He found that no public inconvenience could result from adjourning to Thursday, the 15th, while it would be more convenient to many noble Lords to adjourn to that day. He, therefore, proposed that their Lordships, at rising, should adjourn to Thursday, the 15th of April next. He begged at the same time to give notice, that after the recess their Lordships would sit in their new House, Her Majesty being pleased to assign that portion of the new building of the Palace of Westminster to the use of their Lordships.

House adjourned to Thursday, the 15th of April.

HOUSE OF COMMONS,

Tuesday, March 30, 1846.

Minutes.] Public Bills.—1° Health of Towns; Exchequer Bills (18*l.*, 310*l.*, 700*l.*); Seduction and Prostitution.
2° Holyhead Harbour.
3° and passed: Mutiny.

Petitions Presented. By Mr. Benbow, from Dudley, respecting Remuneration to Tax Assessors and Collectors.—By Mr. Acland, from Dissenters of South Petherton, and Mr. Ward, from Dissenters of Sheffield, against the Government Scheme of Education.—By Viscount Morpeth, from several places, for Sanatory Regulations for Improving the Health of Towns.—By Lord R. Grosvenor and Mr. Spooner, from several places, for the Suppression of Promiscuous Intercourse.

SEDUCTION AND PROSTITUTION.

Mr. SPOONER, in pursuance of the notice he had given, rose to move for leave to bring in a Bill for the more effectual suppression of trading in seduction and prostitution, and for the better protection of females. He assured the House that he deeply felt the difficulties with which the subject was surrounded, and his own inability to do justice to it. He could have wished to have left it in abler hands—in the hands of those who could have brought to its aid the weight of influence and authority. He might perhaps be asked why, if these were his real opinions, he had ventured to bring the matter under the consideration of the House? He felt that he had for such a question a complete answer. There existed in the metropolis an association which counted amongst its members, its council, and its vice-presidents and presidents, some of the highest and noblest in the land—

Mr. C. BERKELEY, interrupting the hon. Member, said: Mr. Speaker, I rise to order. The details which the hon. Member is about to enter into in his speech, upon this subject, must, of necessity, be so unfit for publication, that I must beg to call your attention to the fact that there are strangers in both the galleries.

Mr. SPEAKER immediately ordered strangers to withdraw, and the debate being carried on with closed doors we are unable to give any report of it. The result was that leave to bring in the Bill was given, and it was brought in and read a first time.

HEALTH OF TOWNS.

VISCOUNT MORPETH said:* Sir, I feel that the matter which I have to bring before the House is important and copious enough—not to mention that some part of the evening has been appropriated to other business—to make me wish to avoid all unnecessary prelude or preface. The subject of public health has now for some time very generally occupied public attention, though most of our memories must extend to the time when it occupied comparatively very little. But, indeed, it is full time that it should engage the attention both of Governments and Parliaments, and of the great body of the people, who, after all, must be the real parties who can alone cause any effectual measures upon the subject to be brought before Parliament, and who can alone adequately carry into effect any measure so proposed. I will, in the first place, mention the principal stages of the various inquiries and commissions that have been instituted with relation to this subject. In May, 1838, a report was made to the Poor Law Commissioners by Dr. Arnott and Dr. Kay upon the prevalence of certain physical causes of disease, which might be removed by sanatory regulations; and in the same year another report was made by Dr. Southwood Smith, respecting the sanatory condition of the Bethnal-green and Whitechapel districts, as ascertained by personal inspection. In April, 1839, another report was made also by Dr. Southwood Smith, upon the prevalence of fever in several of the metropolitan unions. In August, 1839, the House of Lords carried an Address to the Queen for a Commission to make inquiries into the health of towns. In March, 1840, a Committee of the House of Commons on the health of towns was moved for, and which subsequently reported to the House. In 1841, Lord John Russell wrote a letter to the Poor Law Commissioners, desiring and calling upon them to institute inquiries into the causes of disease; and in January, 1842, Lord Normanby required these inquiries to be extended. In January, 1842, the Poor Law Commissioners transmitted to Sir James Graham the report of Mr. Chadwick upon the sanatory condition of the labouring population of Great Britain. In 1843, a Commission was issued by Sir R. Peel's Government to inquire in the same subject. In 1844, they made their first report; and in July, 1845, a Bill was brought in by the Earl of Lincoln to provide for the sewerage and drainage of towns, which was ordered by this House to be printed. From this brief summary it will be seen that all parties have contributed alike to the progress of this measure, and that if any measure shall be ultimately carried, the responsibility and credit will be monopolized by no one party, but will be shared by several successive Governments and by different persons. I shall now endeavour to place before the House the main facts and results which have been developed in the progress of those inquiries, whether official, parliamentary, or statistical. I shall endeavour to place before the House now only the leading facts and results, because, though I could present a great mass of special instances and local details, yet I feel I had better reserve them for a future period. In acquitting myself of this part of my pretension, I feel it quite unnecessary to disclaim to it any novelty of employing original matter. The main strength and force of the case which I have to bring before the House lies in the evils being obvious and obtrusive, widely felt, and loudly complained of. Several persons of very great accomplishment, and, what is more to the purpose, of most ardent benevolence, both in and out of this House, have taken great pains, in a way which does them infinite credit, to inform and excite the public mind on this subject; and now, mainly by the accident of my position, I feel myself at the last hour, as I trust it may prove to be, entering upon the fruit of their labours, and gleaning from their stores. Yet I dare not pass over altogether the evidence which they have collected, or proceed at once to the superstructure which we propose to raise, without further reference to the foundation upon which it must rest. The necessity of the case is too pressing, the difficulties to be encountered are too numerous, the weight and number of opposing interests are too formidable, to admit of my dispensing with any assistance I may derive from putting the exigencies of the case as briefly as I can, but still fairly, freely, and honestly before the House and the public. By a statement drawn up by Dr. Guy, Physician to King's College Hospital, from the reports of the Registrar General, it appeared that the relative mortality in the town and country districts was as follows:—

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* From a Report published by Ridgway.

	Country Districts.	Town Districts.
Population to the square mile	199	5,100
Annual deaths in 1,000,000	19,300	27,073
Annual excesses in Town Districts	7,773	
Rate of mortality	1 in 52	1 in 37

He also supplies further particulars as to the rate of mortality generally:—

England	1 in 45
Ise of Wight	— 58
Isle of Anglesea	— 62
London	— 39
Leeds and Birmingham	— 37
Sheffield	— 33
Bristol	— 32
Manchester Union	— 30
Liverpool (Parish)	— 29

Thus, the inhabitants of London, compared with England at large, lose eight years of their lives; of Liverpool nineteen. The population of the large towns in England being 4,000,000, the annual loss is between 31,000 and 32,000. But all towns are not necessarily equally unhealthy, as appears by the following statement:—Liverpool, deaths per 1,000, 35; Manchester, 32; Bath, Coventry, Derby, Dudley, Shrewsbury, and Sunderland, 26; Carlisle and Norwich, 25; Halifax and Kidderminster, 21 in 1,000. Now, it may be thought that low wages, and the consequent comparatively small command over the necessaries of life, may occasion the greater rate of mortality in certain districts; but I find the following statement made by a Colleague of my own, Lord Ebrington, a most zealous labourer in the cause of the public health, in a lecture which he delivered at Plymouth:—

"The mortality of the south-western district, which includes Cornwall, Devon, Somerset, Dorset, and Wilts, is only 1 in 52, not 2 per cent; while that of the north-western, including Cheshire and Lancashire, is 1 in 37. Now, let it not be said that this is owing to extreme poverty and want of the necessaries of life; the condition of the labourers of the west, the badness of their dwellings, the lowness of their wages, the consequent scantiness of their food and clothing, have been the subject of public animadversion. With the exception of the Cornish miners, the condition of the labourers throughout the western counties is described as nearly the same; yet in Wiltshire, the county of lowest wages, the deaths are 1 in 49; in Lancashire, 1 in 36. The average age at death in 1841 was, in Wiltshire, 35 years, in Lancashire, 22; at Liverpool, 17; that of the labourers in Wiltshire, 35; operatives in Liverpool, 15. At Manchester, in 1836, the average consumption per head of the population was 105 lb. of butcher's meat—about 2 lb. a week—exclusive of bacon, pork, fish, and poultry (what a different average would our county produce); the average age at death was 20. The proportion of paupers in the 15 principal agricultural counties, is 1 in 8; in the 12 principal manufacturing counties, 1 in 13; in Lancashire, 1 in 11; and of the deaths in 3,500,000 of town, and about an equal number of a country population, were, respectively, in 1838 and 1839 together—country, 1 in 54·91, of whom above 70, 20 per cent; town, 1 in 38·16, of whom above 70, 9 per cent; all England, 1 in 46·60, of whom above 70, 14 per cent."

The following was Dr. Guy's statement of diseases which occasion the excessive mortality in large towns:—

"Deaths in 1,000,000 from small pox, country, 500; town, 100: from measles, country, 350; town, 900: scarlet fever, country, 500; town, 1,000: typhus, country, 1,000; town, 1,250: epidemic and contagious disorders together, country, 3,400; town, 6,000: waste of life in towns under this head, 2,600 a year. Diseases of infants—teething, convulsions, water in the head, country, 1,300; town, 3,500: waste of infant life under this head, 2.200 a year. Scrofulous diseases and consumptions, country, 3,800; town, 4,600. Total excess of deaths, 5,500 in the 1,000,000. So that there is a waste of 22,000 lives in the 4,000,000 inhabiting large towns."

Dr. Guy also said—

"The total number of deaths in England and Wales during the year 1841 was 343,847, or somewhat less than 1,000 a day. Now, this is at the rate of 1 death in 46 inhabitants. But if instead of 1 death in 46 inhabitants, there had been 1 death in 50 inhabitants, or 2 per cent, no less than 25,407 lives would have been saved. Now, all men who have paid any attention to this subject agree in the opinion that, by proper sanatory measures, it is possible to insure such a state of health among the community at large, that the mortality shall not exceed that proportion. If the sanatory state of the entire country could be raised to the condition of the most healthy counties, so that instead of 1 death in 46 inhabitants, there should be only 1 death in 54, we should have an annual saving of no less than 49,349 lives, or about one-seventh of the whole number of deaths. At first sight it may appear extravagant to represent such an improvement of our sanatory condition as possible; but when it is recollected that, on the one hand, even our most agricultural counties have not yet attained to their best sanatory state, and that our large towns have been hitherto almost entirely neglected, and admit of immense improvement, the attainment for the whole country of a sanatory condition represented by 1 death in 54 inhabitants, is, at least, within the bounds of possibility."

Dr. Southwood Smith said—

"In some localities there was not a single house in which fever had not prevailed, and in some cases not a single room in a single house in which there had not been fever. The districts in which fever prevails are as familiar to the physicians of the Fever Hospital as their own names. In every district in which fever returns frequently and prevails extensively, there is uniformly bad sewerage, a bad supply of water, a bad supply of scavengers, and a consequent accumulation of filth; and I have observed this to be so uniformly and generally the case, that I have been accustomed to express the fact in this way:—If you trace down the fever districts on a map, and then compare that map with the map of the commissioners of sewers, you will find that wherever the commissioners of sewers have not been, there fever is prevalent; and, on the contrary, wherever they have been, there fever is comparatively absent. Some idea may be formed of the evils which our negligence in the matter of sewerage and drainage inflicts, when I tell you that the annual deaths from typhus fever amounts to 16,000, and the attacks of this loathsome disease to between 150,000 and 200,000."

Further still, Dr. Lyon Playfair calculates that for unnecessary death there are 28 cases of unnecessary sickness; consequently, in our large towns, above 700,000 cases of unnecessary sickness. The same calculations in the metropolis would save 10,000 deaths, and 250,000 cases of unnecessary sickness. Then it may be asked whether all parts of our towns are equally subjected to these causes of sickness and death? So far from that being the case, I find from one of the reports of the Registrar General, that the metropolis is divided into three groups of ten districts each, under the title of the healthiest, the medium, and the most unhealthy districts. The result is as follows:—10 healthiest, with an allowance of 202 square yards to each person, have a mortality of 1 in 49; 10 medium, with an allowance of 102 square yards to each person, have a mortality of 1 in 41; 10 unhealthiest, with an allowance of 32 square yards to each person, have a mortality of 1 in 36. Liverpool—gentry, 35; working classes, 15. The Rev. Mr. Clay, of Preston, makes, by classes of streets: — Well-conditioned, mortality among children under 1 year, 15 in 100; moderately, 21 in 100; ill, 38 in 100; worst, 44 in 100, or three times as much as the first. I will only refer back to the very last half-year's report, where it appears, from tables prepared by Mr. Chadwick, that in St. George's, Hanover-square, the average age at which the gentry die is 45; labourers, 27: St. Giles's and St. George's Bloomsbury—gentry, 40; working classes, 17. Now, the documents of most authority on these subjects are the quarterly returns of the health and mortality made up from 115 districts of England by the Registrar General; the quarter ending June 30, 1846. From this report it appears that

—" 43,582 deaths were registered in the spring quarter ending June 30—a number greater by 2,853 than were registered in the corresponding quarter of 1845; and 4,731 more than in the June quarter of 1844. If the mortality had not been higher in the towns than in the poor country districts where the air is pure, the deaths in the quarter would not have exceeded 33,000. Within the last three months 10,000 lives have been destroyed in a part only of England by causes which there is every reason to believe might be removed."

The report goes on to say that

—" the inadequate supplies of water by companies, the imperfect sewerage in towns, the open drains and ditches, and the general neglect of cleanliness, leave everywhere great quantities of organic matter to decay and putrefy in the midst of crowded populations. In such circumstances the mortality, like putrefaction, is always increased when the temperature is high, and epidemics of diarrhœa, dysentery, and cholera prevail. Many thousands of the people of England were carried off in the last quarter by these diseases, and others of the zymotic class. In the metropolis the deaths at the close of June from diarrhœa, dysentery, and common cholera, rose to 40 weekly. Nor is that to be wondered at. Notwithstanding the improvements effected when cholera was last epidemic, the foul untrapped sewers, and the ground areas of the best streets emit noisome smells, volatile poisons, which are as fatal as arsenic to a certain number of persons. London is surrounded too by stagnant, putrid ditches, as some cities are by walls. It would be well not to wait carelessly until cholera reaches the country, but to 'look before,' remove these nuisances, and purify the reeking atmosphere, which gives the disease breath, life, and being. These remarks apply with tenfold force to Liverpool, Sheffield, and the towns of the north, where the epidemics in the last quarter were more fatal than they had ever been before, and diseases were in proportion to the population at least one-third part more numerous than in London."

The Report of the Registrar General for the quarter ending September 30, 1846, states that

—" 51,235 deaths were registered in the summer quarter ending September 30—a greater number by 15,227 than the deaths (36,008) in the corresponding quarter of last year. There were 23,523 children under five years of age, in Surrey; and the deaths of children of that age were 7,364. In the seven years, 13,362 children in Manchester alone fell a sacrifice to known causes, which it is believed may be removed to a great extent; and the victims in Liverpool were not less numerous. Other parts, and particularly the towns of England, are similarly afflicted. While the deaths in London were little more than 14 per cent above the return of 1845, the deaths rose from 25,166 to 38,826; or about 52 per cent after a correction for increase of population, in the towns and other districts of the kingdom included in the return. In some of the densely-peopled towns the mortality was doubled. The deaths in the corresponding summer quarter of the past and present year were in

Towns.	1845.	1846.
Maidstone	124	239
Brighton	219	372
Portsea Island	239	433
Winchester	89	141
Oxford	89	104

Towns.	1845.	1846.
Northampton	182	221
Bedford	182	254
Ipswich	119	240
Norwich	306	451
Plymouth	191	279
Clifton	323	436
Worcester	106	173
Dudley	457	744
Walsall	158	288
Wolverhampton	439	687
Wolstanston and Burslem	164	315
Coventry	188	300
Nottingham	285	469
Lincoln	124	246

> No such mortality has been witnessed in Birmingham for many years. The deaths in 1845 were 694; in 1846 they amounted to 1,627. The high mortality of towns has been traced to crowded lodgings, dirty dwellings, personal uncleanliness, the concentration of unhealthy emanations from narrow streets, without fresh air, water, or sewers. The rapidity of decomposition, and the facility with which all kinds of animal matter become tainted, and run into putrefaction, enable us to understand how, in a summer like the past, in which the temperature was unusually high, the diseases referrible to impure atmosphere should be so prevalent and fatal."

Now, I am sorry to say, that the return of the very last quarter, which ended in December, would give a still more melancholy and appalling picture of increased mortality; and I only refrain from quoting it because it might be said that the diminished supply of food, the decrease in wages, and the consequent great spread of disease, might account for the increase of mortality as well as the unhealthy state of the towns. I have felt myself thus constrained by the necessity of my position to trouble the House thus far with these proofs and portraiture of the existing evils; and I now proceed to mention the main provisions of the measure which we propose to introduce with the hope of remedying what we can, and of mitigating what we cannot remove. In such a state of things as I think I have proved to exist, I will take it at once as admitted, and will not therefore be so idle as to argue that the State has right to interfere. I know this, there are many, for whom I have a high respect, though I have not the good fortune on this point to agree with them, who think that the State has no right to interfere in matters of education—in what concerns the domain of the mind; but in matters that are physical and material, matters which concern the health and life of large masses of our population who are pent up and crowded in towns and cities, in the case of evils which cannot be remedied otherwise than by some superintending, intervening, central authority—it would, I think, be a waste of words to attempt to prove that authority not only has a right, but that it is its duty to interfere. Then I have to ask, through what agency shall it exercise that degree of interference, of controlling and superintending power, which it may be thought right to assign to it? Now the Bill which popularly goes by the name of Lord Lincoln's Bill, which was introduced by him, and on which I am but too happy to found the greater part of the propositions which I have the honour to submit to the House, made use for that agency of the Secretary of State for the Home Department, occasionally calling in the assistance of the Privy Council. The Committee of the Metropolitan Health of Towns Association published a very full and able report upon the provisions of that Bill, and they occupied a considerable portion of it with a remonstrance against that use being made of the Secretary of State for the Home Department, on the ground of his being already more than sufficiently employed with the very onerous and multiform duties belonging to his own department. They represent—and it cannot be denied they represent with truth—that besides the general direction of the internal affairs of England, Scotland, and Ireland, he had also the ultimate superintendence of the police, of prison discipline, and of the poor law of the United Kingdom. Now, each of these items, I think, proves its own case; and we have felt that whoever the person might be who filled that high department, whether he be as apt for the discharge of business as the right hon. Gentleman who last held it, or as my right hon. Friend who holds it now, it would not be wise to add to the accumulation of the proper business of his office by a new and busy class of labour. We felt also that this objection would apply in its degree to any other department which has a large amount of business of its own. Some have suggested the Committee of the Privy Council. Now, the Committee of the Privy Council does not happen at this moment to stand in the very highest esteem with all classes of my fellow-countrymen; but we have thought that for duties which must be constantly in operation, such a body was hardly well adapted for the uniform performance of them; more especially if that body should not be composed of Members of the Government itself. We also felt that it might be said that such a body would be open to the objection of not entertaining that anxiety as to the credit which attaches to business being well done, which would belong to a body specially connected with it, and directly responsible for it, and felt that the duties we have in hand, and might hereafter connect with them, were important enough, and copious enough, in connexion with other matters, to justify the appointment of a special department for the purpose of securing their efficient administration; and we therefore propose that a board, somewhat similar to that which was established last Session for railways, be appointed; the board so appointed to consist of five members, three of whom are to be paid, and one a Member of the Government, who is to act as a member of the board without pay; and it is also proposed that the person filling the office which I now hold, namely, the First Commissioner of Woods and Forests, shall be *ex-officio* the chairman of this board. It is proposed to call the body so constituted "The Board of Health and Public Works," who on the petition, or without it, of the inhabitants of a town or district, wherever it may be deemed necessary to direct an inquiry to be made into the sanatory condition of any such town or district, shall be empowered to recommend to the Crown the appointment of inspectors, who shall proceed to such town or district, make all necessary inquiries and sufficient surveys, ascertain the levels, streams, and watercourses, and define the proper area in which any works may be carried on. The board is then—after receiving the report of the inspectors, if a proper case for interference shall be made out—to recommend that an Order in Council shall be issued, conferring the necessary powers on a local administration for the purpose of carrying all the sanatory arrangements which may be required into effect. What ought those powers to be, and who are to form the bodies that we propose to entrust with their administration? Our thoughts naturally revert first to the duties of the old commissions of sewers, the regulation of which originated in the drainage of Romney Marsh, the first Act establishing those powers having been passed in the reign of Henry VIII., and the matter having been afterwards made the subject of other Acts of the Legislature. But as these Acts on the subject of sewers did not sufficiently provide for housedraining in connexion with main sewers, and a proper supply of water, a matter of much importance; and as almost the cardinal point upon which almost all the inquiries, reports, and recommendations have turned, is that the various functions of sewerage, drainage, the paving and cleansing of streets, should be put under the same control; we have thought it the most expedient, if not the absolutely necessary, course, to place these powers of sewerage, drainage, paving, cleansing and supplying water under the same jurisdiction and control. We do not intend to introduce all the details as to drainage, sewerage, paving, cleansing, and the supply of water bodily into the Bill, as many of them are already included in the Bill (in furtherance of the recommendation of a Committee of the House of Commons in the last Session of Parliament) brought in during this Session; but we purpose to combine all these different powers in a local administrative body. What is that body to be? The Earl of Lincoln's Bill provided a new electoral body, and contained a vast number of clauses regulating the boundaries of districts, and dividing them into wards, regulating the manner of voting, and, in fact, establishing a completely new electoral system. We thought, in preparing this Bill, that we had already enough of elections, and that with elections of town-councillors and poor-law guardians, it was hardly desirable to graft an entirely new electoral system upon these, for the creation of a body analogous especially to the town-councillors in many respects—a body which would be composed of much the same sort of men as those who would be elected as town-councillors, elected by much the same sort of men, who would have their attention directed to similar purposes, and on account of all these items of similarity, only the more likely to be jealous, counteracting, mutually-repellant bodies. Others advised that there should be a direct nomination from the Crown of those who were to constitute the local bodies; but we felt that such a mode of nomination would only cause the jealousies to be more direct and embittered between the popularly elected bodies and those directly nominated by the Crown. Besides all this, there was reason to apprehend that very few towns or districts would be able to furnish two sets of persons alike competent and willing for the discharge on one side of municipal, on the other of sanatory duties. Those who look at the way in which things are carried on in any place, will acknowledge in how few of those who possess the power, are centered adequate activity, ability, and practical benevolence. I lay it down as a basis for the success of the system proposed, that the various powers and functions to be brought to bear with a view of carrying out this measure, ought to be consolidated; and they could not, it was supposed, be more effectually and advantageously consolidated than in a body expressly chosen by their fellow-citizens at large, for the general good government of the towns in which they resided. It is true that when the Corporation Act first passed, you did not transfer to the town-councils the various powers and functions exercised by trustees and commissioners under the local Acts of Parliament. It was then apprehended that those newly-established bodies would be engrossed in party conflicts and discussions, and that the novel power which had been given might be perverted to political purposes; and I admit that the first elections under the Corporation Act may have perhaps unduly partaken of one particular cast; but it was scarcely to be wondered at that such political excitement should have attended the first free movement of new bodies who felt themselves in the possession of new powers, and who had for a long time before been suffering under a sense of exclusion. The reaction which attends all human affairs has, perhaps, given subsequent elections an opposite bias; but at all events the intensity of political feeling connected with municipal elections has greatly subsided. I will not say that it is entirely effaced, nor that the selection of town-councils for the purpose of carrying out these sanatory views is wholly free from the objection; but I think that the more of really useful and important duties you can attach to municipal functions, the further you will go in solving party denunciations, and to tempt really useful and valuable men into the service of their fellow-citizens. We therefore recommend that in all towns and cities where bodies are already in existence for municipal purposes, those bodies should be selected for carrying out the sanatory objects of this measure. The only difficulty we anticipate in this mode of carrying out the measure, is where bits of suburbs or portions of districts in the neighbourhood of the towns or cities, which are not included in the municipal wards, shall be so circumstanced as to make it necessary to include them within the natural area for the drainage of the district. Where such shall be the case, we propose to give a power to add such portions to the municipal districts or wards, or even to create new wards if the number of the inhabitants to be included shall make it necessary. This we have thought better than creating a new electoral body; and in order to show the feeling which is entertained by the Manchester Health of Towns Association, it will be only necessary for me to read to the House an extract from the report of that body, with reference to the subject of Lord Lincoln's Bill:—

> "Their objection to this creation of a new body to whom these powers are to be transferred are twofold: first, they anticipate many evils as likely to arise from an arrangement involving new elections, the appointment of new sets of officers, and the existence of perhaps conflicting authority in the same locality; and next, they fear that these clauses will give rise to an opposition to the Bill generally, by which the advantages to the community of its purely sanatory provisions will be endangered; and even if that opposition should be ineffective, they think it probable that obstacles and impediments to the introduction of sanatory reforms will arise, that would not have to be encountered were the wishes and interests of those connected with the existing municipal government more closely attended to. The Committee see no adequate ground for running these risks, and encountering these obstacles; it appears to them that where town-councils exist, the powers proposed to be entrusted to the new commissioners might be safely entrusted, under similar checks and securities given by Government superintendence to town-councils; that the powers of surveyors of highways and of turnpike trusts might be equally well transferred; that the surrounding district constituting the area of natural drainage might, if sanctioned by Her Majesty in Council, be added to the existing municipal boroughs; and that, in short, the whole local machinery of the Bill would be as easily provided, without interfering with the existing institutions, and without encountering the opposition which the Bill in its present form will inevitably meet with."

Now, even beyond the suburbs to which I have alluded, there may be outlying portions of country which it may become necessary to secure, in order to obtain a sufficient outfall for the drainage of a district, I do not propose the extension of all the powers of the Bill to those districts; but whenever it becomes necessary to ensure an outfall for the drainage, we propose to give the powers conferred by a commission of sewers for that purpose. In towns where the Corporation Act is in force, we propose, as I have already stated, to use the town-councils for the purpose of carrying out this measure; but there are several large towns which have not any corporate bodies under that Act, and which may require improved drainage and sewerage, such as Brighton, Cheltenham, and others similarly situated. It was at first suggested to adopt the principle on which the commissioners of sewers were appointed, and to give to the Crown the direct nomination of the individuals to carry out the sanatory provisions in such towns, leaving a power to the towns to apply, if they thought proper, for a charter of incorporation. I thought it advisable that such towns should not be deprived of all popular control, if possible, with respect to the appointment of the commissioners, before they obtained a charter of incorporation; and I therefore propose that in such towns a certain number of the commissioners shall be selected by the ratepapers, the Board of Health and Public Works having the power of recommending to the Crown the appointment of a number of commissioners in each town, not exceeding one-third of the number elected by the ratepayers. This Bill, it will be seen, does not include in any of its provisions Ireland or Scotland, not that I do not fully coincide with the report of the Metropolitan Health of Towns Association, that there are in these portions of our country evils still more crying — remedies still more wanted even than in our own; but because I know from experience that it is to the last degree perplexing to attempt to include in the same parchment, measures relating to the three countries at once, except on very plain means. I hope, however, that my right hon. Friends connected with Ireland and Scotland, within whose province the preparation of measures on the subject would fall, will give their best attention to the working of the Bill, with a view to adopting it to the exigencies of those countries in the way they shall deem most expedient and efficacious. The report of the Health of Towns Association, extracts from which I have already read to the House, censured the omission of the metropolis, "that London, in which we are now assembled, from Lord Lincoln's Bill;" and as we did not see why the provisions which are extended to other cities and towns should not be also applied to London, we propose to apply the Bill to this metropolis. There are in London several commissions of sewers, some of which exercise their powers, which are very large, in somewhat an irresponsible manner; some of them are complained of for insufficient and extravagant management of their funds, whilst others are spoken of in terms of commendation. It is not my intention to enter upon any topic of incrimination; and I mention the subject in order to state that by an Order in Council, to be issued under this Act, all the commissioners of sewers may be superseded; when the ratepayers would be allowed to elect commissioners for sanatory purposes, and the Crown would have power to add a number not exceeding one-third of the number of commissioners so elected. A larger commission may be thought necessary for London, and the Crown would also have a larger field for the choice of men marked out by their experience, their knowledge, their disinterestedness, and their practical philanthropy, to discharge efficiently the duties which would devolve upon them. I have now stated what administration and extent we propose for the exercise of these new functions, in relation to the public health. They will comprise sewerage, drainage, cleansing, and paving. It will be found essential to the successful working of this scheme, or of any scheme for the same purpose, which may be brought forward, that as soon as the new Act is brought into operation, and the new Commissioners enter on their functions, there should be no conflicting jurisdiction, and we therefore propose that the Crown shall have power by an Order in Council to supersede the local bodies of trustees and commissioners of sewers, of paving, and of cleansing, which at present are entrusted with those powers in various districts. There is no point which has been more strongly and clearly put forward in all the inquiries, and recommendations and reports which have followed inquiries, than the importance of getting rid of conflicting jurisdictions. It is repeatedly insisted upon that they cause nothing but confusion, and must clog and nullify the whole proceedings. I may quote on this head the recommendations from the Second Report:—

> "For these reasons we recommend that the management of the drainage of the entire area as defined for each district, be placed under the jurisdiction of one body.
>
> "That the whole of the paving, and the construction of the surface of all streets, courts, and alleys be placed under the management of the same authority as the drainage, and that the limits of jurisdiction for both purposes, wherever practicable, be co-extensive.
>
> "That the provisions in local Acts, vesting the right to all dust, ashes, and street-refuse in the local administrative body be made general; and that the cleansing of all privies and cess-pools, at proper times, and on due notice, be exclusively entrusted to it.
>
> "With the view of ensuring a sufficient supply and proper distribution of water to all classes, we recommend that it be rendered imperative on the

local administrative body charged with the management of the sewerage and drainage, to procure a supply of water in sufficient quantities, not only for the domestic wants of the inhabitants, but also for cleansing the streets, and scouring the sewers and drains.

"For this purpose we recommend, that the said body have power to contract with companies, and other parties, and make other necessary arrangements."

I may add this from the report of the Committee on Lord Lincoln's Bill:—

"The next important provisions of this Bill appear to your Committee to be the following: That the supply of water, the sewerage, the drainage, the cleansing and the paving of towns, should all be under one and the same authority. That the whole of a town, including the suburbs, and the whole of the drainage area, should also be under one and the same authority."

Also this extract of a private letter I received from York:—

"Last year the question with respect to the excessive height and imperfect drainage of the Foss Navigation, the remedy of which is the principal sanatory desideratum in York, was suffered to be seriously taken up by the local authorities; but between the two stools of the municipality and the city commissioners it fell to the ground."

There are provisions in the Bill for directing the mode of liquidating debts already incurred, and of dealing with contracts already made, and for giving such remuneration as may be deemed right for the existing holders of offices. I am well aware that this provision will destroy at one swoop the local Acts, and the host of local trustees, under which and whom so many of our towns and cities are now governed. But I think we had but one course before us. We had to settle in our minds what were the best local bodies to which we could entrust the powers under this Bill, and having settled that in what we hold to be the best manner, not to heed who or what was in our way, but steadily to confront all opposition and remonstrance, and to insist upon unity of action. We might, it is true, hear of municipal bodies who have performed such duties very ill, and local trusts who have performed them very well—we may hear of commissioners of sewers who have given dissatisfaction, and of commissioners of paving who have given satisfaction; but I hope that having appointed the town-councillors as the responsible bodies, the very responsibility with which they are to be invested will elicit proper attention and energy for the work to be done. Over and above all this, however, we shall perhaps derive most trustworthy security from some of the accompanying provisions of the Bill, which I may quote from the commendations bestowed upon them in the same report to which I have already been so much indebted:—

"The interests of the community should be protected by the supervision of a competent, impartial, and responsible public officer named an inspector. That before new works are undertaken, full and comprehensive surveys should be made by competent engineers. The plans of complete works should be prepared by responsible public officers, locally examined by them with the estimates. That expeditory reports should be drawn up for local publication, in order that the advantages of new works may be thoroughly canvassed by all parties interested in them. That the whole of the works should be maintained as well as executed by contract. That the performance of the contract should be supervised by a competent, paid and responsible local officer; and that the true causes of disease and death should be ascertained, and the spread of diseases, more especially epidemic diseases, should be checked, by the appointment in districts of a skilled and responsible medical officer, called an officer of health."

An inspector will be appointed, as I have already intimated, to make the preliminary inquiries, and when that has been done, it will be his duty to visit towns and districts, to see what is going on, to examine or to preface plans and surveys, and to make reports to the central board. Besides this person, who will be an engineer, I suppose, it is proposed to appoint a medical inspector also. At first sight, it seemed to us that it would be desirable to have a medical inspector, like those who have been appointed by the Sanatory Act for Liverpool and other places; but, upon consideration, we thought it better that the medical inspector should not be a person specially connected with the towns in which his duties are to be performed. In addition to this, the town-councils will appoint a local surveyor, who will be approved of by the central board, qualified as a civil engineer, and who will have to superintend drainage and other contract works authorized by the Act. The Bill will also contain a power to appoint an inspector of nuisances, who will see to the removal of substances that may be prejudicial to the public health. Provisions will also be incorporated in the Bill for preventing the nuisance of smoke. The Bill will also incorporate provisions for the proper ventilation of buildings; and the commissioners will be empowered to light the towns, and to enter into contracts with gas companies, if they think proper, for that purpose. I have reserved myself something to say about water. I think it unnecessary to say, that an adequate supply of water is indispensable for any real system of drainage. Without water to carry away the refuse lying in the drains, their very existence aggravates the evil they are intended to remove. The use of tubular sewers and an adequate supply of water to carry off their contents, is indispensable. Now, I believe it will be acknowledged that in many districts, even in this metropolis, the supply of water now looked upon as essential to a good system of drainage, is too scanty and too expensive. I find it stated by Mr. Toynbee, another most efficient labourer for public health, that

—"the water is generally laid on in the yard, and a supply given three times a week, and at each time the water comes on, the film of dust and blacks that has been deposited on the surface is mixed up with the previous accumulations. The same water is used for making bread, by a baker, who supplies a great number of the poor."

Dr Aldis said, that

—"the water retained in the rooms of the poor for domestic purposes soon becomes covered with black scum, and there is generally a filthy accumulation on the service of the water-butts. The fatigue of fetching a proper supply, which ought to be forty-five gallons a day for a cottage, is most wearing."

Mr. Hawkesley stated, that

—"it is perfectly well known to those acquainted with the feelings and habits of labourers, that they regard it as an intolerable nuisance on their return home, tired with the day's labour, to have to fetch water from a distance out of doors, in cold or in wet, in frost or in snow."

It seems that we are not much advanced from the days of Andromache,

"To bring
The weight of waters from Hyperia's spring."

With a view, therefore, to the due supply of water to every house, the commissioners are empowered to make contracts with water companies, and, when they shall deem it necessary, to purchase their works upon securing to them a full payment of their past demands. Provision is also made, that in case of any permanent works by which an unusual amount of expense might be incurred, there shall be a power given to borrow money, and to levy principal and interest by moderate yearly instalments, not from the owner but from the occupier, who during the time of his tenure is principally benefited; and in this manner we hope we shall remove what we consider to be the chief obstacle to improvements in towns, which is the opposition of owners to what they consider the serious expense attending them. It is this question of rates which has hitherto been the direct, and for some time to come must be, I fear, the indirect, obstacle to the inhabitants taking up sanatory measures with vigour and good heart themselves. There is something in the very sound of "rates," which weighs fearfully in the balance against health, industry, content, and all the virtues. Some additional outlay must be submitted to at the first start, if we wish to do anything effectual for public health; it is a necessary tribute which property must pay, perhaps in the first instance, mainly for the actual life and safety of the poor, and of those who live by the sweat of their brow; but, ultimately, I am persuaded, not at all the less for their own comfort and enjoyment. But I am further in hopes that it has been established on tolerable good grounds, that the improvement of the public health, besides its other inestimable advantages, is by no means to be slighted on the ground of economy itself. I do not wish to build too accurately on any series of calculations, but I cannot refrain from quoting the main heads of a few which, at all events, have been compiled by accurate and trustworthy persons. Dr. Lyon Playfair states

—"the loss from unnecessary death and sickness for England and Wales at 11,000,030*l.*, and the United Kingdom at 23,000,000*l.*"

These are the items of expense which Dr. Playfair reckoned are incurred under the present system, or rather want of system—direct attendance on the sick; loss of what they would have earned; premature death of productive contributors to the national wealth; and expense of premature funerals. Dr. Playfair estimates the loss for Manchester at nearly 1,000,000*l.*; Mr. Hawkesley calculates the loss for Nottingham at 300,000*l.*; Mr. Clay estimates the loss for Preston at 990,000*l.*; Mr. Coulthart takes the loss for Ashton-under-Lyne at 235,000*l.*; and Dr. Playfair considers the loss of this metropolis to be above 2,500,000*l.*; and estimates the total loss to England and Wales at little short of 11,000,000*l.* Dr. Guy, referring to the health of towns, says—

"I shall say nothing of the liquid manure, which, as I have been given to understand, is suffered to drain away into the ditches, thence into the rivers, and from them into the sea, from fully one-half of all the farmsteads of England; I will speak merely of the unappropriated refuse of large towns. In Flanders, where manure is carefully collected, instead of being, as here, suffered to run to waste, the excreta of an adult is valued at 1*l.* 19*s.* Considering the enormous additions made to this manure in our towns, it will not be thought unreasonable to estimate the value of that part of the refuse which now runs to waste at two pounds per head of the population; and supposing that in

England or in Wales, the towns which are guilty of this extravagance, contain in all only 5,000,000 inhabitants, we shall have an unusual waste of at least ten millions of money."

Mr. Smith, of Deanston, also expresses his opinion that

—"taking a general view of the subject, we may assume a clear revenue of the sewer water of all towns of 1*l.* for each inhabitant."

Dr. Arnott says, that

—"the value of town manure might be estimated by the fact that a portion of the drainage of Edinburgh has increased the value of these lands by more than 5,000*l.* a year, and that, if the whole drainage of London could be saved, at a sufficient distance from the town, the value would exceed 500,000*l.* a year."

Dr. Arnott observes, that Milan has benefited to a great extent by the adoption of such a measure as he suggested; and he then goes on to say that

—"it has been calculated that, whereas the cesspools cannot be emptied by nightmen for less than 19*s.* a year, and whereas water carriers get ½*d.* for a pailful of water at the door, an addition of 2*d.* to the rent per week will suffice for the expense of water closets, and of an unlimited supply of water for every house; and that the entire sanatory purposes contemplated under all the recommendations of the Health of Towns Committee, may be procured for 3½*d.* a week per house."

These calculations may be looked upon as sanguine; but those persons who are best acquainted with the subject know that much is to be done with regard to economy, by adopting efficient sanatory regulations. Mr. Holland, of Manchester, stated that in twenty streets in Chorlton-on-Medlock, the mortality fell from 110 to 89 per annum, after, and no doubt principally in consequence of, the streets being properly paved and drained. Mr. Gardiner and Mr. Noble confirmed the result by showing that in certain streets in St. George's district, Manchester, the deaths in 1838, 1839, amounted to 495; but that in 1841, 1842, after the streets were paved and sewered, the deaths were only 432, being a diminution of 63, or about one-eighth. In a district in Ancoats, a diminution of 40 deaths out of 270, or about one-seventh, followed a similar improvement. But a still more striking illustration of the same fact may be found nearer home. It is contained in Mr. Liddell's evidence before the Health Commission:—

"Windmill-court, in Rosemary-lane, was one of the most unhealthy in my district. It was unpaved and filthy, and with stagnant water before the houses. I used to visit it sometimes two or three times a day for fever cases. About twelve months ago it was flagged; it was well supplied with water from a large cast-iron tank, which enables the inhabitants to have a constant supply instead of an intermittent one, on three days a week. The court is regularly washed down twice a week, and the drains are so laid that all the water may pass through the privy and may carry off the soil, which was formerly a most foul nuisance, and a constant expense to the landlord. In the seven months ending March 1843, I attended forty-one new cases of sickness in that court; in the last four or five months I have had but two cases. The rent is better paid, and the landlord is considered to have made a good thing of the improvements, which were executed at his own expense."

I dare not trouble the House with any further extracts. I feel that in a matter so large and so complicated, many imperfections may be discovered, and that many oversights have occurred in the Bill which we propose to bring in. I can only say that it has been framed with an honest intention, and with a single view to the public good, and most unfeignedly thankful shall I be if the measure, after undergoing consideration by Parliament, and receiving ultimately the sanction of the Throne, shall in its results effect in some degree what we aim at—to diminish in some degree those noxious influences which now painfully afflict so large a proportion of our towns and cities—to hunt down to their source, if we can, the prevailing causes of disease—to let in more of pure air and more of pure water—to wage war wherever we can against filth and stench, and their attendant consequences, bodily weakness and depression, fever, and the death-dealing pestilence, and thus to lengthen the lives and add to the happiness of all classes of our countrymen. The noble Lord concluded by moving for leave to bring in the Bill.

MR. MACKINNON, in seconding the Motion, observed, that he considered both the noble Lord by whom this Bill had been introduced, and the noble Lord at the head of Her Majesty's Government, were entitled to very great praise for the exertions they had made to bring the measure before the House. His noble Friend the Member for Falkirk (Lord Lincoln), it would be remembered, had in a former Session brought in a Bill on this subject; but that measure was by no means so comprehensive as the Bill which had just been proposed by the noble Lord at the head of the Woods and Forests. He might observe that the noble Lord was scarcely aware of the difficulties he was likely to encounter in carrying out this measure, from the opposition of corporate bodies and other parties, especially in this metropolis; but he sincerely wished the noble Lord success in his endeavours.

He believed that this Bill would prove as beneficial to England, as he considered the measure introduced by the hon. Secretary for Ireland, with reference to the poor laws, would be to that country. He would venture to call the attention of the noble Lord to the fact, that before the Committee which sat on this subject, and of which he was chairman, it was stated that there were five particular circumstances which were conducive to the health of towns—pure air; good drainage; the total absence of all vegetable or animal putrid matter; distance from the vicinity of stagnant water or morasses; and an abundant supply of pure water. In order to show the great advantages arising from attention to cleanliness and ventilation, he might mention that when Anson circumnavigated the globe seventy years ago, he lost, in his ship, the *Centurion*—owing to the want of proper food, ventilation, and accommodation—270 men out of a crew of 560 men; but it was computed that, if a ship of the same size and of the same complement were now to undertake the same voyage, she would not lose more than five per cent of her crew from sickness. He regretted that no legislation had been adopted with reference to this important subject at an earlier period; and why, he would ask, had the question been allowed to rest? Because it did not affect either the upper or the middle classes of society; for the results of those clauses which were prejudicial to public health were chiefly experienced by the poor. He was satisfied that the whole population of the country would feel much indebted to the noble Lord for the measure he had introduced. He must remind the noble Lord, however, that he had not included in this Bill all the nuisances by which the health of towns was affected. He wished to know whether the noble Lord meant to include within the proposed Bill any prohibition against interments in large towns and populous places; or whether a specific Bill would be brought in for that purpose?

VISCOUNT MORPETH said, that the Bill would not contain any provisions for the prohibition of interments in large towns, as the Bill was considered by the Government large enough as it stood. The subject of intramural interments was, however, under consideration, and he hoped that a Bill in respect to it would be brought in.

COLONEL T. WOOD said, there were a great many local Acts of Parliament which would be affected by the present Bill; and he thought that it was most unconstitutional to commit to the Privy Council the power of repealing all those enactments. He conceived that the more constitutional course would be for Commissioners under the Privy Council to mark out the districts, and then for the noble Lord to come to Parliament with a Bill for repealing the different Acts which related to the districts so arranged. It was also essential that the representatives of those districts should have the power of at least objecting to any line of demarcation which might be made by the Privy Council.

The EARL of LINCOLN said, that although his previous acquaintance with this subject might enable him to discuss the measure of the noble Lord to a considerable extent at the present moment, yet he felt that he should be acting more wisely if he refrained from entering at any length into the question until the Bill was before the House. The hon. Member for Leamington (Mr. Mackinnon) thanked the noble Lord for introducing the Bill, and in those thanks he entirely coincided; but he went on to state, that the measure was of a far more comprehensive nature than that which he (the Earl of Lincoln) brought in, though he must say, that, so far as the information received from the noble Lord that evening went, his hon. Friend's congratulation must be confined to the comprehensive nature of the machinery of the measure, because the noble Lord had himself frankly and fairly admitted, that most of the provisions of his Bill were taken from that which he had the honour of introducing to the House. To the extent that the noble Lord went, he believed that all the provisions, with the exception of those relating to the ventilation of large buildings and the prohibition of the smoke nuisance—two subjects which he apprehended would be found rather more difficult than was contemplated—were taken from his Bill; and to those portions of the measure he would not refer or make any comments on the speech of the noble Lord. On this occasion, therefore, he would address himself simply to three points in which the noble Lord's Bill differed from that which he himself introduced. The noble Lord, before entering upon the details of his Bill, stated, that he felt it to be absolutely necessary that there should be, what he called, an intervening, superintending, central authority. Now, to a certain extent, he highly approved of this provision of the Bill; and he begged to assure the noble Lord and the Government that he by no means participated in that very general and sweeping condemnation of what had been miscalled "centralisation," a word which had become very obnoxious to many parties in the country. But, at the same time, he did think that the noble Lord, in the proposal he had made to-night, was running the risk of extending that principle of centralisation too far; and he was afraid that the result—the ultimate, if not immediate result—of the establishment of such a body as he proposed to constitute, would be a far too minute interference with local affairs, and far too great an intermeddling with matters which ought to be left to the jurisdiction of parties who were resident on the spot, and whose interests were affected by the measure under consideration. Now, by his (the Earl of Lincoln's) Bill, it was proposed that this central authority should be conferred upon the Secretary of State for the Home Department; but that authority was to extend no further than this—that the Act should be brought into operation in each locality upon a representation made to the Home Secretary—that, beyond this, he should have the power, in the first instance, of sending down an inspector, who was perfectly free from local bias, to investigate the case and report thereon; and a further power was given the Secretary of State to see that the intentions of the Legislature were carried into effect. In this latter respect the power of the Secretary of State under the former Bill was nearly analogous to that which he possessed in the case of county prisons. To that extent he thought it was desirable to go, but no further. But the noble Lord proposed entirely to alter the body in whom this central authority was to be vested; and he stated, as a reason, the vast amount of work which was already borne by the Secretary of State. He was perfectly satisfied, however, that any duties which the Secretary of State might have to perform under the former Bill, would not be so onerous as those from which he would be relieved by the proposed amendment of the new poor law. The noble Lord intended constituting a new Board of Health, the president of which was to be the Chief Commissioner of Woods and Forests; but if any serious amount of business devolved on the Commission, such as could justify its appointment at all, he thought it would be almost impossible for the Chief Commissioner to perform his duties with efficiency. There were also to be three paid Commissioners; and he confessed that he did look with great jealousy upon their appointment, bearing in mind what had been the tendency of their legislation within the last six months. He would simply state on this occasion, that he had very great objection, upon principle, to the construction of new boards, though he was quite aware that in some instances boards might be desirable, and perhaps even indispensable; and he would take the liberty of suggesting, inasmuch as there was a single sentence in the noble Lord's speech which appeared to be rather ominous, that before they came to the second reading of the Bill, the noble Lord should be prepared to explain to the House any future plans of the Government which might be involved in this measure. He thought the noble Lord had let them, to a certain degree, behind the curtain, by giving to the board the title of "Commission of Health and Public Works." Now, if there were any intention of devolving the superintendence of public works on this board, the Government were bound, before the second reading of the Bill was sanctioned by the House, to state what was the nature of the proposal they had in view. If a machinery were now constructed which was more complicated and extensive than was absolutely necessary for the purposes for which they were legislating, the House had a clear right, in the first instance, to know what other functions were to devolve upon the board. The next great alteration which the noble Lord proposed in the Bill he introduced two years ago, had reference to the construction of the local bodies. He was quite ready to admit that he had always felt there were objections, and valid objections, to the bodies which he himself proposed; but it was a question of difficulties, and he was obliged to adopt that which he believed to be the lesser. Undoubtedly he proposed to introduce a new body—a new electoral body—though he agreed with the noble Lord, that we had quite enough already of elections, and that it was not desirable to increase the turmoil which was attendant upon those elections; but did the noble Lord altogether avoid this evil by his proposed scheme? The noble Lord would find that the suburbs of the great manufacturing towns to which the Bill would be applicable, were of so extensive a character, that, as in the case of Nottingham, for instance, the municipal jurisdiction did not extend over more than one-third of what might be fairly called the town. He admitted that drainage, cleansing, paving, and the supply of water, were by right the proper functions of municipal corporations; but, unfortunately, these bodies had become so entirely political—or, rather, so strongly political—either on one side or the other, that, whether rightly or wrongly, justly or unjustly, that portion of the inhabitants of towns who did not possess the majority in the corporation did look with very great distrust and apprehension on any powers of taxation for purposes of this description. He wished, with all his heart, that the corporations of England would confine themselves to matters of local interest, attend to sanatory matters, and abandon local politics. [MR. CHAPLIN: As at Salisbury.] He was glad to hear that that was the case. But whilst the noble Lord was getting rid of one difficulty, he was afraid that he would be incurring others of no less magnitude. But, as he had said, one strong reason against devolving these duties on corporations, was the extent of the suburbs, and the limited jurisdiction of those bodies in large towns. Now, they must either confine the sewerage to the municipal bounds, or embrace the suburbs according to the natural area for drainage; and how were they to do the latter? Would they add the suburbs to the municipality for this purpose only, and without representation, and give the corporation the power of taxing the whole for the expenses incurred under the Bill? By adopting such a plan as that, the corporation of Nottingham, elected by one-third of the inhabitants of the town, would be able to tax the other two-thirds, who were altogether unrepresented in that body. And that he could not conceive to be a just principle. But the noble Lord proposed to get over the difficulty by annexing the suburbs to the municipality, and, where necessary, even to constitute new wards. Thus, at once, they came to the difficulty which the noble Lord was so anxious to avoid—namely, new elections for those wards. So that, in reality, they would not get rid of what he (the Earl of Lincoln) had always felt to be a great objection to his own plan, whilst they avoided all the advantages contained in that plan. The noble Lord would find it extremely difficult to legislate upon this subject in a general measure applicable to the smaller towns, so far as populous towns like Manchester and Liverpool were concerned. In such cases, he thought, it was desirable that separate and distinct measures should be introduced. He must admire the courage, but deprecate the rashness, of the noble Lord in venturing to include London in the Bill; and, having carefully considered the subject, and looked at the complicated difficulties which surrounded it, he would venture to foretel his most signal failure in this part of his plans. The noble Lord could no more embrace the City, with Southwark, Westminster, and other districts of the metropolis, in his general measure, than he could Berlin, Paris, or any other continental city, so totally inapplicable to so vast a town, and so complicated a state of rights and interests, was any scheme which was suited to the provincial towns. As to the noble Lord's proposition respecting unincorporated towns, he could not see why to the members of the body elected by the inhabitants, the Crown should add some others; for instance, in the case of Brighton and Cheltenham, he could not see why the Crown should add members to commissioners elected by the inhabitants, any more than in Manchester or Derby. From the observations which he had thought it fitting to address to the House on the subject, he hoped the noble Lord would not anticipate any want of anxiety on his part to render him every assistance towards making the Bill as efficacious as possible for the objects which it contemplated. Having taken a great interest in the matter, he was ready, whether he sat on that (the Opposition) side of the House or the other, to give all his assistance towards making the measure effective; no feeling of jealousy should interfere to prevent his acting in co-operation with the noble Lord; and no one would rejoice more than he, if, in the noble Lord's hands, a good and salutary measure for the country generally should be adopted.

MR. AGLIONBY could not help congratulating the noble Lord on the great moral courage which he had exhibited in having undertaken this great measure of social reform. He hoped that with the valuable assistance of the noble Lord opposite (the Earl of Lincoln), the noble Lord would succeed in carrying this measure through the House. He thought the attention of the noble Lord had been directed too exclusively to the condition of the large towns. There were small towns and small cities in which the health of the inhabitants was more damaged by the want of such regulations as those which were proposed. [Lord MORPETH: There is no limitation proposed by this Bill.] He was aware of that; but the machinery for carrying out the objects of the Bill was more complete with respect to the large towns. He agreed with the noble Lord (the Earl of Lincoln) that there was no necessity for appointing nominees of the Crown in unincorporated towns. The difficulty of dealing with the suburbs did not appear to him to be so insuperable as the noble Lord (the Earl of Lincoln) seemed to think. If elective bodies did not now exist in such districts, why not constitute them? And having made them bear their proportion of the expenses of sanatory regulations, they ought to be allowed a voice in the election of officers appointed for such an object. Perhaps a corporation was, after all, the best body which could be devised for superintending the various departments of draining, lighting, &c.; and he did not see why the noble Lord should not afford every facility for the incorporation of towns. He was told that a town could not obtain corporate rights unless at a charge of *500l.*; and he thought that such an expense should be no longer imposed on towns whose inhabitants were desirous that they should become incorporated. It would be a great advantage if there was one general Bill for the improvement and management of towns, instead of the numerous separate Acts which were already before Parliament. He thought it would be a great advantage if private Bills were abolished, as they led to great jealousy and irritation amongst the inhabitants of towns when first proposed, and were adjudicated upon by a most objectionable tribunal, for such a purpose—the Committees of that House. In his opinion, a properly constituted local government having been appointed, all questions of improvement of towns might be safely left to the inhabitants. He was opposed to the appointment of a Commission for the purposes of this Bill, and thought the powers which it proposed to invest in a new body might be safely entrusted to the present departments of Government.

Mr. GREENE: There were now not less than twenty Bills before Parliament for the improvement of towns. He thought all such Bills should be suspended until this measure and the Clauses Consolidation Bill were disposed of. He objected to the existence of so many separate bodies in towns, as commissioners for paving, lighting, and draining, and thought that general powers should be vested in a corporation for all such purposes. He had done his best to retard the progress of the local Bills to which he had referred; but he thought the Government should interfere to prevent any further steps being taken with respect to them, until the two important and general measures which he had mentioned were disposed of.

Sir W. CLAY willingly added his testimony to the approval already expressed by many hon. Members of the noble Lord's measure. He was sure it was a Bill calculated to confer great advantages on the public; but he must express the same doubts as those of the noble Lord (the Earl of Lincoln) as to the propriety of including the metropolis in its provisions. He thought the noble Lord (Viscount Morpeth) was hardly prepared for the task which he had undertaken in this respect. He trusted the noble Lord would be prepared to afford to all the various interests affected by this measure a fair opportunity for stating their objections to it. He feared that the proposed dissolution of various boards would, on many occasions, give great dissatisfaction. The noble Lord had stated, in a single sentence, that he was about to adopt one mode of supplying water for this great metropolis. The consequence of this would be to destroy the present apparatus for the use of water in every house in London. He mentioned this to show that due time should be allowed for the proper consideration of the very important provisions of this Bill.

Mr. HUME: The most important point in reference to this Bill was, that no self-interested associations should be allowed to stand in the way of the general improvements demanded by the public at large. It might be true that those who were able to pay were now sufficiently well supplied with water and gas; but the object of the Government was to bring such advantages within the reach of those who were not, under the present system, able to pay for them. The Government, then, should be prepared to put down all self-interested parties, and consult alone the interests of the many. Let it not be forgotten that the operative classes passed a large portion of their time in a vitiated atmosphere, and that they had no accommodations afforded for the preservation of their health. This Bill was calculated to remove the defects of the present system, and thus to better the condition of the most valuable class in the community. He trusted that after the support promised by the noble Lord (the Earl of Lincoln), who had collected most important information on the subject of this Bill, that it would not meet with any serious opposition. Of this he was quite sure, that the noble Lord who brought forward this measure would not prove himself a friend to the working classes if he was not prepared to grapple with the difficulties which beset the course of legislation on which he had entered; and, looking to the general interests of the many, make up his mind to disregard the representations of small interested bodies. The noble Lord might depend on it that the country would not be slow in conveying its acknowledgment of the efforts which he made for the public good. He hoped there would be one uniform system established all over the country, and he had no fear but that the noble Lord would persevere, and not allow the ordinary obstacles which he must expect in such a course to thwart or discourage him.

MR. BROTHERTON offered his tribute of thanks to the noble Lord for bringing forward such an important measure, which evinced the possession of decided moral courage on his part. There were, no doubt, many difficulties in his path; but they could all be overcome, and he would have the support of the country in forwarding this measure. The introduction of the corporations, as a means of carrying out the objects he proposed, was a most important improvement, as they would offer the best channels of carrying those objects into effect in all the large towns in the kingdom.

MR. PHILIP HOWARD also supported the measure, and particularly admired that portion of its provisions which committed the carrying out of its details to the different corporations, which he thought would give them some work to do, and thus check the tendency of these bodies to intermeddle with politics. He also thanked the Government for having sent Dr. Reid as their Commissioner down to Carlisle, who, in the course of his visit, had imparted a fund of useful information to the inhabitants.

Leave given. Bill brought in and read a first time.

THE ARMY SERVICE BILL.

On the Motion that the Speaker do now leave the chair for the House to go into Committee on the Army Service Bill,

SIR H. DOUGLAS moved that the Bill be committed that day six months. Before proceeding to state his reasons for this, he begged to tender his best thanks to the noble Lord at the head of the Government for his kindness and courtesy in postponing the Bill to meet his (Sir H. Douglas's) convenience, and that of the other professional Gentlemen who felt peculiar interest in the question before the House. He had wished to ascertain the opinion of the highest authority that ever lived in any age or country—the eminent individual now the Commander-in-Chief of the British Army—on this measure; and had the answer which he (Sir H. Douglas) received to the question which he put on a former evening satisfied him that that eminent man cordially approved, sanctioned, and advised this measure, then, whatever may have been his own opinion on the subject, it would be as nothing compared with the judgment of the great man to whom he referred. He was not inclined to dispute the value of the abstract proposition involved in limited enlistment; but he believed that the complicated affairs and peculiar circumstances of the British isles, and the widely extended colonial dependencies of the empire, rendered the application of the abstract proposition altogether unsuitable to the British Army. His first reason for opposing the change of system contained in the Bill, referred mainly and solely to the interest of the British soldier. He spoke first as the stedfast friend of the soldier; and he would not proceed to consider the effect which the proposed measure would have upon the service generally, or upon the country, till he had satisfied the House that this measure did not tend to the interest of the soldier, nor was calculated to render the service more attractive to the masses from which soldiers came. It had been asserted by Mr. Wyndham and the advocates of his measure in 1806-7, that limited enlistment would attract to the service a superior description of men, and this is the main object announced by Her Majesty's Government, in making this change. But this, it appeared to him, will prove as delusive, as the expectations of 1806. No one has ever attempted to show from what class these superior descriptions of men are to come; and the plan of 1807 signally failed. During the eight years preceding 1829, when both limited and unlimited enlistment went together, 82,000 men enlisted for unlimited service, and only 2,000 for limited service. And the numbers of each class enlisted during the first and last four of these eight years show such a diminution in the proportion of limited service engagements, that it lapsed, in fact, almost to nothing, and was discontinued. One of Mr. Wyndham's objects was, to do away the bounty. He (Sir H. Douglas) concurred entirely in that view; but this may be done irrespective of the particular term or duration of enlistment. The whole system of bounty is a delusion on the soldier. Whatever bounty is promised, should be a reality, and paid in money; part on enlisting, and the rest on joining; but by charging the bounty with the payment of the soldier's kit, the recruit finds that, instead of being in credit for the remainder of his bounty, he is usually in debt. This occasions great disappointment; it is, in fact, deception, and is, no doubt, a fruitful cause of discontent and desertion. In the French service the kit is provided for the soldiers. So in the service of the United States, where the soldier is better off than in ours, the premium on enlistment is more liberal: the pay is about the same; but every article of personal equipment besides clothing, namely, shirts, flannels, stockings, socks, and shoes, are provided by the public, and thus a great many British soldiers, deserters, are found in the ranks of the United States army. He should not propose to continue the bounty at the present nominal rate, but give some real bounty, and provide the kit at the public expense, so that the charge to the public would not be great. He (Sir H. Douglas) would now proceed to consider how far the Bill was calculated to entice a superior class of men into the service. He should consider what were the honours, what the provision for old age, which were promised under this Bill; and he should then show the effect—the serious effect—which the change was calculated to produce on the discipline of the British Army. The hon. and gallant Member then proceeded to give some figure details, showing the number of men in the various branches of the service who had served more than ten years. The total was 27,150. It was well known that the Bill—the whole Bill—as first drawn up, contained provisions which would have set free this number of our best men — a number equal to one-fifth of the whole British Army; and he would leave the House and the country to consider the effect which would be produced by the discharge of so many men stationed in various colonies of the empire. This evil, however, was staved off by some invisible and unknown guardian; but should this Bill pass, the evil which had been averted for the present by this protecting hand, must come ultimately into operation. Now, with respect to the superior description of men which this Bill was expected to attract into the service, he called upon the House to look at the inducements which were held out to such persons. Let us see what present inducements are held out to this better class, or to any class of men, to enlist for ten years. Let us examine what are to be their rewards at the expiration; what their public honours; what increase to their fortunes, prospects, and domestic comforts. To have their names enrolled on the same list with men discharged as incapable of further service long before the 10 years' man entered, or was born! Is it the honour of appearing on the public parade with worn-out men for 12 days in each year, for 22 years, and when 50 years of age to get a pension of 6*d.* a day? And, in the event of the country being invaded, to have the superior post of honour of serving behind stone walls with men discharged as unfit for service in the field? He (Sir H. Douglas) was amazed! Can there be any question as to whether a better class of men can be thus allured? This proposition examined more closely shows that the great object of the measure is, to save the public money—not for the advantage of the soldier or of the military service, but at the expense of both. This far surpasses, in detriment to the soldier, and discredit to the service, the measure contained in a former warrant of bribing the soldier to quit the service, and relinquish all claim to pension, by offering him a premium to take his discharge in the shape of a grant of land in the colonies, with a bonus in money varying from 3 to 6, 12 and 18 months' full pay, with some variations respecting home and foreign service, after the corresponding periods of 15, 16, 17, 18, and 21 years' service, which he was happy to say, few comparatively took, and which being an improvident commutation for any soldier of that standing to accept, led many to great misery, and has very properly been abolished. It is absurd to suppose that a superior class of men would be decoyed into the service by such a scheme. So far from attracting a superior description of men, he felt assured that the class of men from which the Army was usually recruited, would be amazed to learn that Her Majesty's Government could possibly imagine that good men would be decoyed into the service by such flimsy offers. But, if the measure was good, why did not the Government carry it out to the whole Army? They proposed to prohibit a man from enlisting as a soldier for a longer period than 10 years, as being derogatory to the character of a free country and a free man. If that were so, why did they not release soldiers who had already contracted this ignoble engagement? If they did not, there would be one portion of the Army composed of soldiers prohibited from enlisting beyond a period of 10 years, as being inconsistent with the character of a free country, and unworthy of free men; and another part composed of men previously enlisted for periods thus strongly denounced. The proposition to limit the period of enlistment to 10 years, when fairly examined, seemed to him to be neither for the advantage of the man, nor of the military service, nor of the empire. Ten years were just enough to win a man from habits of hard labour, but not deemed sufficient to entitle him to any immediate reward or compensation. He thought that the soldier should be enlisted for no period of service which did not fairly entitle him to a pension. There should be a recompense at the end of every engagement. Let the Government restore the old pension of 1*s*. a day for 21 years' service, and they would do more for the Army than by any other measure. That would be a remedy for every evil. This would be acceptable to the Army, and creditable to the country. If he (Sir H. Douglas) failed in arresting the progress of this measure, he should in Committee propose Amendments to the effect of what he had just stated. He had received a great many letters from officers of every grade in the Army on this subject; and if he were to read those he held in his hand, or to state the names of the writers, there was not an hon. Member in that House who would not admit that, as well with respect to the artillery, as to the engineers, the cavalry, the infantry, and all the scientific corps, no officers were more distinguished, either now or at any former period of our country's hishistory, than those who had addressed him in terms condemnatory of this measure. And it was remarkable that he had been addressed by soldiers as their best friend, for opposing this measure, and for insisting upon an increased rate of pension, as the one thing needful. All complained of the reduction of the pensions; some of the smallness of the bounties; others complained of the clothing, in the infantry in particular, as being coarse; but not a single individual soldier complained of unlimited service. He contended that any alteration in the period of enlistment was unnecessary for the recruiting of the Army. At the present moment we had an ample supply of able-bodied recruits; and if there was a demand for more, it could be supplied in a short time without resort to limited service. In 1845 there had been enlisted into the infantry and cavalry, no less than 11,420 persons; in 1846, 24,000; into the artillery corps in 1845, 1,411; and in 1846, 1,000—in all 37,830 men in two years; and, so far as he knew, not one objection had been made, in any case, to the system of unlimited service. The number of recruits rejected during the same period amounted to 31 per cent, which shows that there was a plentiful supply, admitting even of selection. He had taken some pains to ascertain the different classes of men of which the Army is composed. At present, he found that the great mass of the Army is composed of the best-conditioned class of men they could possibly have. He found that 628 out of every thousand were agricultural labourers and servants; and he appealed to the House whether they could obtain, from any class of men, better soldiers than these usually produced? Ascending a little higher, he found that 310 out of every thousand were artisans and mechanics, a great many of whom turned out good soldiers; but, in general, they were not so able-bodied nor so well conducted as those belonging to the agricultural class is. Of shopmen and clerks he found that there were 43 out of every thousand; but they turned out in general very bad soldiers; and, in general, the higher, the class the worse soldiers they became. Some few consisted of gentlemen's sons, professional gentlemen, licentiates of medicine, divinity, and even law: these turned out the worst soldiers of all. He was sure the right hon. Gentleman the Secretary at War (Mr. F. Maule), if he remembered anything of his experience in the Army, could not have forgotten what was thought of having a decayed gentleman in his company—a lawyer for instance. The fact was, that nearly all the men, excepting the very humblest class—which, after all, is the best and most legitimate stock from which soldiers could be taken—were persons in the decadence of life—men who were not rising, but sinking—men who entered the Army in consequence of some failure or misconduct. He did not mean to say that all these made bad soldiers. He had known many gentlemen's sons enter the Army as private soldiers, from being unable to purchase commissions; he had helped some of them on, and many had made their way to commissions. Of the other classes, he had known many who were ornaments of their profession; who had served well as soldiers, and risen to the rank of officers; but there was no denying that, generally speaking, men who were descending in life, who had failed in business, or had been guilty of some misconduct, and who took refuge in the Army, turned out very bad soldiers. If the Bill attracted such men as these, he could only say, that it would have the worst and most prejudicial effect. He remembered the period when limited service men were mixed up with soldiers enlisted for unlimited service, and could testify to the confusion and insubordination which resulted from the former system. He yesterday received a letter from a distinguished officer who commanded a regiment at the time Mr. Wyndham's Act was in force, which described the baneful effect produced by that measure on the discipline of the Army, and which with the permission of the House he would read:—

> "It may seem to be presumption in me to state that I entirely concur in all you said the other day in the House of Commons, and now contemplate, for limiting the duration of service in the Army. With the feeling abroad now upon this subject, I have no doubt some such measure will be carried. I am sorry to say I am old enough to remember the baneful effects produced upon the discipline of the Army by Mr. Wyndham's Act; men became insolent and subordinate as the period of their servitude approached; and it had the effect of making good steady soldiers so also. There was scarcely a third day in the month, that the service of some man did not expire; hence the regiment was kept in an eternal state of excitement and drunkenness. Such will inevitably be the consequence of any limited service measure, when it comes in full operation. When this measure comes into full force, one-third of our Army may be on sea homewards. Consequently, it will have to be increased, if not to that extent, at least to a certain extent. One of the popular reasons assigned for having recourse to a measure, found from previous experience to be inapplicable to this country, is, that it will induce a superior class to enter the Army. I have great doubt, whether it will have any such effect; it is absurd to suppose, that it confers any advantage of sufficient importance to induce a man to enlist, who has any other respectable means of living. Still, the mass of the Army must be composed as heretofore, so long as physical eligibility is the only qualification required, to admit any vagabond into the service. I am not likely to be personally annoyed by the working of any measure that does not come into operation for ten or twelve years. Still, I have a sufficient regard for the posterity of the British Army, to desire to see it established upon such a permanent footing, as to be able to maintain its present proud position to the end of time."

The supporters of the present Bill cited the Continental States, in which limited service prevailed. His reply was, theirs was compulsory service; and compulsory service must be limited. It would be unjust to compel men to serve for an unlimited period; and, accordingly, the condition of all conscription is, that the service must be for limited periods. It was necessary, however, to bear this important point in mind, that in limited service by conscription there is no selection. Under the system which now prevails in this country, there is selection, and that is the reason of the acknowledged physical superiority of the British soldier. Take the Prussian youth but three years a soldier, and compare him with the British soldier of twelve years standing—the superiority of the latter would be at once apparent. Pursue the comparison with respect to the Austrian, the French, and the Russian soldier, and all would be found inferior in physical power to our soldiers. The British bayonet is famed throughout the world; but it is not the temper of the steel which rendered that weapon so formidable to our enemies, it was the sinew and muscle of the men who wielded it—men who had entered into a voluntary engagement for unlimited service. Our great Commander knew the stuff his men were made of, when he exclaimed, "Up, Guards, and at them!" How that appeal was responded to, it was unnecessary to state. When the gallant Picton said to his regiment at a critical moment, "Boys, give them a taste of the cold steel;" his brave 88th overran three times their number. The British soldier feels severely the severities of colonial service; and it would afford every friend of the Army satisfaction, if some safe means could be devised, of abridging the ordinary period of service in our colonial possessions; but he could not approve of the manner in which the Government proposed to effect that object. The great objection to this measure is, the inconvenience—the complications—the endless changes and transfers, it must occasion, in an Army, of which by far the greater part is stationed in the outward and remote possessions and colonies of the empire. Of our total force of 120 battalions, 80 are employed abroad; and about six battalions are constantly on the sea, relieving and relieved, exclusive of invalids bringing home, and fresh men sending out. Of rank and file, infantry and artillery, serving in the colonies, there are no less than 72,000 men. Already the inconvenience, difficulty, and expense, are very great in relieving and bringing home corps at the periods at present regulated; and in bringing home invalids and in sending out fresh men. What will not that difficulty and inconvenience be, when this measure shall be in full operation, and one tenth annually of 72,000 shall be entitled to discharge and must be brought home? To make more frequent reliefs of corps, and continual changes of men, the number of battalions must be considerably increased. Military men know, and it must be obvious to all hon. Members, that the strength of the main body must bear a certain proportion to the number of out-stations, or posts, to be furnished; their distance from the centre, the remoteness from each other, the frequency of reliefs, and the enlarged period of home duty. For this, if the periods abroad are to be shortened, and large portions of the corps serving abroad, annually changed, the number of battalions must be increased. Eight battalions were added in 1845, but fresh exigencies have since occurred, which more than absorb that augmentation. He would now address himself more particularly to the Chancellor of the Exchequer. He could not think Her Majesty's Government had taken into calculation, rightly, the vast additional expense which would be caused by sending out reliefs, rendered necessary by those fluctuations which must constantly be taking place, in the regiments in the colonies. The expense of conveying troops to India and the colonies, and bringing them to England, would be enormously increased by this measure. At present it was 243,000*l.* annually, exclusive of conveyance to and from India, and of troops moved in vessels of war. These charges would be at least doubled, under the new system. It was said that a large number of the soldiers in India volunteered to remain there. Is not this a strong condemnation of the limitation to ten years? The numbers, so volunteering, in the last year were 2,000; but they did so because they would rather be soldiers in India than anywhere else. But if free to return to England, they would not be so ready to remain. Again, the Government at present derives a considerable revenue from the purchase of discharges. The sum raised from this source is sufficient to pay the whole expense of the recruiting establishment: that amount must be given up under the new system. Another sacrifice it will involve is the amount arising from the balance of stoppages from the soldiers in some of the colonies for provisions, above what the rations in those colonies cost; this was about 33,000*l.* a year. This arrangement is based upon the principle, that, in unlimited service, a soldier serving in a colony where the stoppages from his pay for his provisions exceed the cost of the ration, may, in his protracted services, find himself, in his next tour of colonial duty, on a station where the cost of the ration exceeds the stoppage. Limited service disposes of that arrangement. He had endeavoured to prove that the proposed measure would be disadvantageous to the Army, and to the masses whence the Army was drawn. He had shown that the plan was not called for by any necessity, professional, constitutional, political, or economical. It was not justified by experience; for all experience was against it. He would appeal to the country, and to all who knew the British Army, whether it was not at present in the most perfect state of efficiency, and fit for any service, in any part of the world. It was in a high state of discipline, improving in every respect, moral, physical, and, he hoped he might add, intellectual—thanks to the liberality of the House, which had shown a strong disposition to promote that improvement. If there had been any doubt of the efficiency of the Army, he might admit a necessity for considering whether they could not organize it on a better plan. But was ever any Army in a better state? Degrading punishments were falling into disuse. No one had laboured more to diminish these than he had; no one was more anxious that a period should arrive when they would be unnecessary; but he certainly had objected to taking away the power of inflicting punishment, till that better state should be attained. Among the measures which he had advocated for the improvement of the condition of the soldier was the establishment of military savings-banks. And here he would unhesitatingly state, that an impression prevailed among the men, that by placing money in those banks, they would be affording a proof that their pay was more than sufficient, and that this fact might be taken advantage of by some economist in the House, to propose a reduction in their pay. He was sure this would be disowned and repudiated; he believed the knowledge that the soldier was thus acquiring more provident habits, would rather lead to a contrary result. He did not think that engagement for an unlimited period was the cause of desertion. He believed that this was occasioned by some immediate excitement, passion, grievance, or discontent. One main cause was the severity of foreign service. Desertion in Canada, where it is greatest, shows this. The return which the right hon. the late Secretary of War cited on a former occasion, shows, for instance, that during the five years preceding 1829, when limited service existed, the per centage of desertion in Canada was double—more than double—what it was in the five succeeding years. One serious effect of the proposed plan would be, to throw back on parishes, and on poor rates, numbers of soldiers, with broken health and impaired constitutions, from ten years' service in all climates, and probably with wives and children, who on both accounts will not be re-engaged, and thus reject them upon the classes from which they had been taken, without reward, recompense, or provision, and in destitution. It had been said that this measure will open to the British soldier, an avenue to rank, a course to glory and distinction, at present closed; that the bravest and best soldier can hardly hope at present for any reward beyond the three rings, and that even for a display of valour, which warmed the national heart and made the pulse beat quicker, his country's gratitude afforded him, when crippled, only some 15*l.* a year. To this he would first observe, that the pittance promised to soldiers at fifty years of age, by this Bill, was not 15*l.*, but only 8*l.* a year; and as to there being no career, hope, or reward, according to the present system, he could tell of many, many gallant deeds done by spirits embodied in men of humble rank, who had made their way to the highest distinction. (The hon. and gallant Member here mentioned several instances of officers now in the Army who had risen from the ranks.) These were men who had done honour to the name of a British soldier, their examples showed that a bright career to fame and rank, which it was supposed this measure would open to privates and non-commissioned officers in the Army, was open to them under the existing system, and had been taken advantage of in a manner which showed that no change of system was on this account required. After apologizing for detaining the House so long upon this important measure, the hon. and gallant Member moved that the Bill be committed that day six months.

Major LAYARD felt a deep interest in the fate of this measure. Believing it to be a measure founded on the principles of justice and humanity, he had been most anxious for its introduction, and he was sorry to find that it should have encountered so relentless and uncompromising an opponent in the person of the hon. and gallant General the Member for Liverpool. The hon. and gallant Member contended that it would operate disadvantageously for the service of the country; but the arguments which the hon. and gallant Member adduced in support of that opinion appeared to him to be singularly inconclusive, and such as ought not to sway the decision of the House upon a question in which were so vitally concerned the happiness and welfare of the British soldier. The present system of enlistment had been found to work most oppressively on the soldier. The lad of eighteen was not permitted under our constitution to marry without the consent of those in authority over him, nor to make a will; and yet at that age he was permitted with his immature experience and imperfect knowledge of life, to enter into a bargain singularly disadvantageous for himself, and indeed for the country too, by surrendering himself over to a service where the authorities might discharge him at any moment, while he was incapacitated from demanding his discharge from them himself. The hon. and gallant Member had expressed his surprise that this measure should have been introduced at such a moment as the present; but if it was true that it was founded on the principle of justice, and if it was also true that the present system of enlistment was an evil, the sooner some such measure as this was introduced, the better for the service and the country. If the measure was in itself a meritorious one, there was no time for introducing it like the present. The hon. and gallant Member had stated that crime in the Army was on the decrease. Perhaps so; but he had forgotten to mention that in the course of three years no less than 28,000 men had been committed to gaol, and that 8,000 had deserted from the colours under which it was represented that such extraordinary felicity was to be experienced. The gallant General had also neglected to advert to what appeared to him to be a most melancholy and fearful fact, namely, that one in twenty of the deaths in the cavalry was from suicide. Every twentieth death was a case of self-destruction; and this appalling fact alone proclaimed trumpet-tongued the necessity of reformation in the Army. He had no exception to take to the observations the gallant General had made on the subject of bounty to soldiers. He had always thought it a very great mistake to call that a bounty which was deducted from the soldier's necessaries. The use of such a word was calculated to mislead the soldier, and to make him think that the Army broke faith with him, and that he was at liberty to break faith with it, by deserting on the first opportunity. He admitted that the present system was objectionable, both in name and practice, with respect to bounty; but this admission did not constitute any objection against the present Bill. As for the question of pensions, he admitted that here too there was ample room for improvement. He had always said so. In the Session of 1843, and on various other occasions, he had brought the subject of the total inadequacy of soldiers' pensions under the consideration of the House; and it was worthy of remark that very few, if any, of the hon. and gallant Members who spoke so indignantly on the point in the discussion on the present measure, gave him any assistance or co-operation on the occasions in question. Let them by all means increase the pension; but this he would take leave to tell them, that though they were to increase it tenfold, and to take the utmost possible care in educating the soldier, he would be unhappy, restless, and discontented, so long as he was a slave for life, as he was under the present system of enlistment. [*Cries of* "No, no!"] It was easy to cry "No, no;" but he challenged denial of the assertion by any one who had attentively watched the operation of the present system, that it was regarded by the soldier as equivalent to slavery for life. A better class of men would be induced to enter the service by the present measure; and this he considered a desideratum, notwithstanding all that had been said to the contrary by the gallant General. A thinking and well-educated man would have no objection to enter the service when he knew that at the end of ten years he could retire from it if he did not like it, and thus the ranks would in all probability be filled with a better description of persons than if the recruits were rash and careless men, who entered thoughtlessly, and were bound for life. Inconvenience might, and probably would, to some extent result from the measure to adjutants and colonels; but it was better that officers should have to endure a slight annoyance, than that the soldiers should be subjected to the much more painful inconvenience of being slaves for life. The term of ten years was objected to because it was said that that was just the time when a man ought to become entitled to a pension. But, if a man was anxious to obtain a pension, he must remember that his country had some claim upon him for a continuation of service; and by leaving the service at the expiration of ten years, he would be voluntarily resigning any claim he might otherwise have upon the country. The hon. and gallant Officer had talked of the great expense that would be incurred by sending men home from the East Indies and the colonies after their service of ten years had expired. But while this most striking fact existed, that 164 persons drew from the revenue of the country 1,600,000*l.* a year, that revenue amounting to only 52,000,000*l.*; that was to say, 164 persons received not less than one-thirtieth of the whole revenue of the country: whilst this fact remained, he trusted he should never again hear of the expense of bringing men from India as a question of consideration. Had the hon. and gallant Officer ever commanded a regiment of the line? Had he ever served in India? Had he ever been in the West Indies? He had not! then, what was it to him that the hon. and gallant Officer came down to that House and talked of his rank and of his fifty years' experience. Men holding the station of that hon. and gallant Officer were either above seeing, or were placed in a situation where they could not see or hear, what actually occurred among the men in the Army. The hon. and gallant Member had said that he had never heard the men complain of enlistment for life. Why, how could he hear them? Would he go to the men and ask them? It was unreasonable to suppose that men would make their complaints known to persons holding the rank which the hon. and gallant Officer held in the Army. He most heartily thanked Her Majesty's Government for having brought forward this measure. It was just and right, and was one which public opinion must and would carry. It was a measure which, he believed, if put to the ballot, would meet with the support of many men of rank in the Army, who, under peculiar circumstances, dared not openly avow their sentiments upon it. It was one which he had long been most anxious to see carried; and he gloried at the arrival of the day when it had at length become successful.

Mr. S. HERBERT said, that his opinion with regard to enlistment for an unlimited period was already on record. He considered unlimited enlistment objectionable; but he thought that those Gentlemen who urged the discontinuance of the system very much exaggerated the evils that were supposed to result from it. There was no such thing practically in this country as unlimited enlistment. In practice, as far as the service of the Army was concerned, this was the principle—until the men had completed a certain period of service they were not entitled to pensions; but when they had completed their twenty-one years, when they were entitled to it, a system of fraud prevailed to get their discharge. It 1845 there were 2,000 men who had served much longer than twenty-one years; but it was obvious that there would have been many more then but for the pensions given immediately on the completion of that period. The great majority, however, of the men in the Army left the service after fifteen years' service; and the largest proportion of that body did so at twenty-one years' service. About 12,000 men left the Army every year. About 3,000 of these got pensions, and about 3,000 were purchased out. Thus about 6,000 men left the Army by regular discharge, and the rest by fraud or other means. If they took the period for enlistment at that time the largest body of men naturally left the Army, the experiment would be much less hazardous than that now proposed. He objected to very short periods of enlistment, although the period of service was very short in the Continental armies; but this was a compulsory service. He was satisfied that it was impossible to compel men by enrolment or conscription to remain for a very long time. They would also find that there were the greatest complaints on the Continent, and more especially in France, on the part of the relations of the young men who had served in these armies, that they came back to their homes totally unfit for any other purpose. Then there was another danger—namely, that they might produce such a state of things by a legislative measure of this kind, that a very large proportion of the population should have passed through the ranks of the Army, and thus have obtained a knowledge of military discipline and habits. He was aware that this was a very unpopular view of the subject; but he should not be deterred by that from expressing his opinion on it. In all these countries to which he had alluded, popular commotions were rendered more dangerous by those who had been discharged from the Army. In England a disturbance could be put down by a few watchmen or policemen; but in Continental States, disturbances, apparently trivial in the first instance, became of a formidable character. On the Continent, any imaginary or just cause of complaint gave rise to serious outbreaks, in which an active part was taken by men who had been trained as soldiers, and had been accustomed to military movements, and they only wanted uniforms to make them an army. This was a very proper matter for the consideration of the Government. When the London police was first established, it was formed to a considerable extent from disbanded soldiers; and it was the opinion of the police commissioners, that they never had men upon whom they could so much depend as those who belonged to the force at first. They had repeatedly stated that they never had such steady men as the non-commissioned officers. If they made the time of service so short as ten years, they must take care that they held out to the men sufficient inducements to enlist for a further period. The right hon. Gentleman said on a former occasion that with respect to short enlistments, some measures should be adopted to aid the parties who so engaged themselves. He (Mr. Sidney Herbert) believed that it was clearly impossible that they could give pensions after only ten years' service; and he also believed that the project of the right hon. Gentleman would not secure that inducement which he anticipated. The right hon. Gentleman's proposal was, that if a man, after having left the Army, served for twenty years in a local corps, he should be entitled to a pension. If the men entered into other employments, they would subject themselves to annoyance in being called out for several days at a time for the purpose of exercise, and being without pay for a longer period than they were kept out. They might as well expect to succeed in such a project, as if, as was stated by the gallant General, they contracted to pay a man's funeral expenses. For his own part, he would recommend fourteen years as the period of enlistment. It must be recollected that much of that period would be on foreign service. According to the present arrangement the period of foreign service was ten years, and the period of home service also ten years. He believed that this plan was obtainable after the increase of the Army last year. By the plan proposed in the Bill, one man might have to serve five years at home and five abroad, another ten years at home and another ten years altogether abroad, for each man must be discharged at the end of that period. This would be a matter for calculation, for the constant moving the men in consequence of this would make an important addition to the expenditure. It would be difficult accurately to estimate the additional expense of moving the troops to and from the Colonies in consequence of this arrangement. He believed that the present charge on the Navy for this purpose was about 200,000*l*. In India, however, circumstances were different, for a great number of the soldiers contracted marriages there, and had families, and living luxurious lives in comparison with the soldiers here, they were induced to volunteer into other regiments instead of coming home. There was a different state of things in our Colonies; he, therefore, wished to know what was calculated to be the additional expense for raising troops to supply the place of those who were entitled to their discharge, having completed their period of service. If he was not mistaken, the number of troops that it would be necessary to move in consequence of this measure, would be 3,000 or 4,000 a year. Again, it would not be worth while for men who had only enlisted for ten years to purchase their discharges. He did not believe there was in the Army a strong feeling against unlimited enlistment. He thought that to increase the pensions and the comforts of the soldier, would, upon the whole, have a much greater effect than diminishing the length of service. In fact, it was not a superior class of men, but superior men of the same class, that they wanted; and that object, he was ready to admit, to a certain extent they might attain by means of limited enlistment. It certainly appeared objectionable to his mind to call upon a boy of seventeen, whose father would not trust him with the making of a bargain in his own business, to enter into a contract by which he bound himself to an unlimited service; and that was the reason why parents, among the humbler classes in this country, looked with alarm on the arrival in their neighbourhood of a recruiting party, in the fear that their sons would be kidnapped and separated from them for ever. Still, that the new plan would be found to produce very great advantages, he doubted, though it might obtain for the Army a better sort of men. He would be ready to give a system of limited enlistment; to obviate the evils which it was certainly calculated to meet; but then he would have wished to fix a more lengthened period for that limited service than was now proposed by the right hon. Gentleman; and he would have done this in order to obviate the great increase of expense which must attend this alteration, and the necessity of frequent change; and a period of fourteen years would have been long enough to prevent one evil which he thought it was important to prevent, namely, the turning out upon society every now and then a large number of men with the habits of soldiers fixed upon them. Further, he thought that when they were about to have a measure which would most clearly diminish the amount of the army pensions, an opportunity was presented for revising the pension list of 1833, which ought not to be overlooked. This was not a new idea of his; but now he saw a possibility for carrying out his proposal, because they would have a diminution of the whole amount of pensions, and consequently a fund from which a revision might be effected without additional expense upon the whole. Then it was to be considered that the pension list of 1833 would not come into effect until 1854, and then there would be a great and sudden diminution of the dead weight; and the plan he wished to see adopted would diminish a saving of 66,000*l*. a year, by 22,000*l*. a year, leaving a clear yearly saving of 44,000*l*. One of the results of a ten years' service would be that many men would leave the Army at the end of that time without demanding any pension; it was clear the dead weight would be diminished, and something might be effected without additional expenditure. He threw out these suggestions for the consideration of the right hon. Gentleman, and not with any intention of voting with the hon. and gallant General, with whose views he did not agree. Still he must say he was not without apprehensions of the working of this measure; and it would be a great satisfaction to him if the right hon. Gentleman (Mr. F. Maule), who had so efficiently taken up the subject of army reform, would take these points into his consideration. The right hon. Gentleman, he thought, might make a great improvement in his measure if he would take into his consideration the probable effect of it as it stood upon men who had been long in the service. He admitted that it would be quite impossible to deprive the Army suddenly of 20,000 men; but then he thought it was imprudent in the right hon. Gentleman to speak in such strong terms of the state in which he left these men. There would be great difficulties, he (Mr. S. Herbert) thought in having two classes of men; one of men who had enlisted for a term which had been so much stigmatized as that of the present system of enlistment, and the other of those who had a less period of service before them. The man enlisted on the day that this Bill received the Royal Assent, would be engaged for life—an engagement of which the right hon. Gentleman had spoken in such strong terms—and the man who enlisted the day after would be engaged for the diminished period. It was in no spirit of hostility that he (Mr. S. Herbert) had thrown out these suggestions; he offered them for the consideration of the right hon. Gentleman; and in his opinion the right hon. Gentleman would do wisely if, before he brought up the Report, he made those alterations in the measure which would render it more acceptable to the Army, and more safe for the country at large.

Mr. F. MAULE considered that the right hon. Gentleman acknowledged the principle of the Bill, but that he had objections to the details of it on two or three different points. The right hon. Gentleman had first objected to the period which the Bill proposed to make the first enlistment of the soldier last for; secondly, the right hon. Gentleman objected to the system of offering the soldier, if he quitted the Army in ten years, an enrolment for a pension; and then the right hon. Gentleman objected to the expense which the Bill threw on the public. The right hon. Gentleman also suggested, with reference to the acceptability of the Bill to the Army, that there were other measures by which the military service could be made more acceptable to those who entered it than the Bill gave the means of effecting; and he suggested a reconsideration of the pension warrant of 1833, with a view to increasing the soldier's pension after the completion of twenty-one years' service. Now, first, the right hon. Gentleman proposed, instead of ten to take fourteen years' service; but he thought it must fall within the natural supposition of every one in the House, that in considering this question the necessity of fixing some definite period had been kept in view, and he had not adopted the period of ten years as a matter of vague indefinite chance-work, but upon reason. He might have taken Mr. Windham's term of seven years, or the right hon. Gentleman's period of fourteen. But to fourteen there was this objection in his mind—they would enlist a youth at eighteen years of age, who would serve fourteen years, and then, at thirty-two, he would have served his time; but then, at the age of thirty-two, he thought most commanding officers would have a strong objection, if they could get rid of that man, to re-enlist him, and the event would be, that such strong discouragement would be held out against re-enlisting, that the soldier would be cast out upon society without any pension at the end of his fourteen years' service. If, however, the soldier was to have a pension at the end of fourteen years' service, then, on the behalf of the public, he should still more strongly object to the plan. It was on these grounds that he had taken the period of ten years. Now, with reference to the option he gave to the soldier to enrol for a pension, he could not admit the objection to it, that it would have the effect of martializing (if he might call it so) the whole country. The right hon. Gentleman objected to sending men back into society with all the habits of the Army fixed upon them; and the right hon. Gentleman feared that, trained and accustomed to habits of discipline and order as those men were, they would send back into society a body who would be dangerous to the peace of the country, and might in time of trouble prove an evil in the State. He thought they must judge of the probable result of their conduct by what had been the conduct of other men, who were old soldiers, and who had been thrown upon society abroad. Now, during the Canadian rebellion, every temptation was thrown in the way of the pensioners to induce them to join the ranks of the enemy, and to give to the disaffected the benefit of their military knowledge; and yet, to a man, every pensioner proved loyal, and came as one man to the assistance of the Government, and enrolled themselves in the British service. [Sir H. DOUGLAS: They were pensioned.] That was true; but here the men would be serving for a deferred pension at the end of twenty years of exactly the same amount as was at present given to a soldier who had served in the ranks for twenty-one years. Therefore, the man enrolled for a deferred pension would have the same prospect to look forward to at the end of the twenty years' enrolled service, after leaving the Army, as the soldier had at the end of his twenty-one years' actual service. He did not believe that there would be even a small body of men in the country willing to encourage the people to form themselves into military bodies, or, if there were excitement abroad, that they would be found leading the people into mischief; on the contrary, he thought that on mixing themselves with their fellow-citizens throughout the country they would set an example of good order, and that though they had retired from active military duties, they would in the twelve days of each year meet their old companions; that instead of losing the good habits they had acquired as soldiers, they would retain their habits of order and good conduct; and that the objection of the right hon. Gentleman was merely imaginary. With respect to expense, he did not much apprehend any danger. If the men took their discharge at the end of ten years, there might be a saving in the amount of pensions; but he did not deem that a point which ought to weigh in their consideration: as to the extra expense in the movements of the troops, he did not believe, after the men had served ten years, that they would refuse to re-enlist themselves, for at the end of ten years the rough part of a soldier's duty had passed, and at the end of eleven years more, they would have to look for all the benefits and advantages which were at present held out to him for the full period of service. And here he must remind the gallant Officer (Sir H. Douglas) who opposed the Bill altogether, that year by year, and in Administration after Administration, the period of the soldier's service had been gradually dwindling down in proportion to the good behaviour, and that at the present moment, with two good marks, and after twelve years of service, the soldier was entitled to claim his discharge. If there were to be a detriment from a limited period of service in the Army, why was there not the same detriment in the Naval service? Yet in the Navy, the service was for three years or five years, or for a period during which there was war. He was not talking of a period of war, but of a time of peace, and of introducing a system which might render the Army more palatable to the classes from which it was recruited. As to the conduct of the gallant General, he thought that he had a right to complain of his bringing on two separate debates; and that he did not oppose the Bill on the stage in which the principle was decided, but allowed it to go to the stage in which it then was, and now opposed the principle. In the meantime, the gallant General had found out, or fancied he had found out, that the Bill was opposed to opinions in high quarters. Now the gallant Officer had been in authority, and he knew the nature of confidential communications between military and civil authorities, and yet he asked his noble Friend (Lord J. Russell) to state the nature of communications strictly confidential, which had passed between the First Minister of the Crown, and the Commander-in-Chief; and on his noble Friend declining to answer the question, the gallant Officer assumed that the Duke of Wellington was opposed to this Bill. He thought that a more unwarrantable assumption he had never heard than that, in consequence of the silence of his noble Friend, another party held opinions —of which the hon. and gallant Gentleman knew nothing—opposed to a measure which the Government had brought forward on their own responsibility; and he greatly mistook the character of the Duke of Wellington if he would thank the gallant Officer for the position in which he had put the noble Duke. Without any authority, the gallant General had put the Duke of Wellington, whatever might be the unpopularity of such a course, in opposition to this measure; and he had put upon the Commander-in-Chief the responsibility of opposing a measure, when it was quite possible that of such an intention the Commander-in-Chief might be entirely innocent. Again, the hon. and gallant Officer assumed, that the Bill was totally unacceptable to the soldiers, or to the mass of them; and the gallant Officer said, that he had had many communications with soldiers, and not one had pressed him for a limited enlistment. The gallant General might have had applications about pensions, or about the smartness of dress, or about other matters which those who attended minutely to the Army, laid themselves out for, and on which the soldiers would naturally apply to him; but they did not apply to him about limited enlistment, because he could not give them relief, and they knew that he was totally opposed to any complaint on that subject. The gallant General assumed the other night, that limited service was of no benefit, and the country derived no advantage from the men who served only ten years. Did he not know that the Peninsular army was formed of men who had only served ten, nine, or even eight years? He had stated that the Duke of Wellington, in one of his despatches, had reported that 800,000 dollars were spent to re-enlist the army when Mr. Wyndham's first enlistment was about to expire in the year 1813. He could not comprehend where the gallant Officer got his information. [Sir H. DOUGLAS: From the despatch.] It was so in the despatch, but it must be erroneous, for the bounty was then for limited enlistment, eleven guineas, and for unlimited enlistment, sixteen guineas; but taking the average at 15*l.* a man, if 800,000 or 900,000 dollars, as he believed it stood in the despatch, had been spent in re-enlisting the men on that occasion, there must have been a re-enlistment of upwards of 12,000 men. The number in 1806 was 20,672. The decrease in the Army at that time, was nine per cent per annum; in seven years, therefore, the decrease must have amounted to about 10,000 men. Thus 10,677 men were all that remained, taking the average increase in those seven years; and yet, according to the statement which had been made, 12,000 men must have re-enlisted. He could not understand how this result was achieved. The Peninsular forces at that time, consisted only of one-sixth of the Army; so that there could only have been in that army, about 1,800 men who had seen any lengthened service. And the real fact of the matter was this, that, in 1811, when the Peninsular war was at its height, the entire number of men in the British Army was 200,000; and, of these 200,000, the greater proportion of them being in the Peninsula, in the years 1807-8-9-10, that was to say in four years, making only three or four years service, 105,000, or 106,000 were of this description. The great proportion of these were men in the army of the Peninsula. So far as regarded young soldiers, men of two or three years' service; he thought, therefore, he had proved that they were the men who had fought those very battles to which the hon. and gallant Officer so proudly referred, and to which the country so proudly looked back; and that it did not necessarily require those who were termed old and seasoned soldiers to win victories as remarkable as had ever been gained. Who were the men who contended at Waterloo? They were the recruits; the veteran troops were far away, on the other side of the Atlantic, with the veteran generals, too, at the head of them. Every one knew how that gallant and distinguished officer, Sir J. Kempt, then stationed in Canada, arrived by great energy and exertion, having smelt the war afar off, and, in his haste, bringing for the whole of his baggage one portmanteau, at the field of Waterloo. There was still another reason why he must press this Bill upon the House. It was on the score of humanity. He would show that the men who best endured the variations of foreign climates of every character and description, were those who had been in service from one to ten years. He was enabled to prove this by reference to an abstract of the returns furnished to the Government by Dr. M'Leod, Inspector General of Military Hospitals in Bengal. In the East Indies, in 1837, the deaths among soldiers, from eighteen to twenty years of age, were sixteen in the thousand; from twenty to twenty-two, twenty-three in the thousand; from twenty-two to twenty-four, thirty-four in the thousand; from twenty-four to thirty, the ten years being then completed, fifty-five in the thousand. Then, after a service of ten years, the deaths among soldiers from thirty to thirty-five years of age, were fifty-one in the thousand; from thirty-five to forty-five, sixty-three in the thousand; and from forty-five to fifty-five, the deaths were eighty in the thousand. In Ceylon, it appeared that the deaths among soldiers from eighteen to twenty-five years of age, were twenty-four in the thousand; from from twenty-five to thirty-three, fifty-fifty in the thousand; from thirty-three to forty, eighty-six; and above forty, 126 in the thousand. In the Mauritius, the deaths among men from eighteen to twenty-five years of age were twenty-one; from twenty-five to thirty-three, thirty-eight in the thousand; from thirty-three to forty, fifty-three in the thousand; and above forty, eighty-seven in the thousand. In Jamaica, before the establishment of the sanitary regulations introduced by his noble Friend (Earl Grey), the deaths between eighteen and twenty-five were seventy; between twenty-five and thirty-three, 107; between thirty-three and forty, 131; and above forty, 128 in the thousand. In the West Indies, at the Cape of Good Hope, and in general throughout the whole of our colonies, the same proportion existed; plainly and distinctly proving that, if they desired the smallest possible sacrifice of life in our colonies, they would send out men varying in their ages from twenty to thirty, in preference to men who had passed that age. He hoped he had convinced every hon. Gentleman, that, on the score of humanity, he was justified in urging this measure on the House. He could not promise that he could at all alter the principle he had now laid down as the most suitable basis for the Bill. He thought that the periods of service which he had fixed upon, were those which would be fair to the men and fair to the public; and even if some extra expense should be incurred by the new system, he believed his right hon. Friend the Chancellor of the Exchequer was not unprepared to meet that emergency. It was argued that he held out no novel inducement whatever to the soldier to enlist; but if that were not the case, he certainly did not expect, that after a service of ten years there would be any great disrelish, on the part of the soldier, to re-enlistment. It was, he admitted, an experiment; but it was an experiment so surrounded with good prospects, that he did not hesitate taking on himself, so far as he was officially concerned, the responsibility of suggesting it to the Legislature. He earnestly trusted, that whether the House was to carry or reject it, they would come to a decision at once, in order, either that it might be passed concurrently with the Mutiny Bill, or, if rejected, that the Mutiny Bill might, without any further delay, be sent in a proper condition up to the House of Lords.

COLONEL WOOD observed, that the speech of his right hon. Friend the Member for Wiltshire convinced him that if they once departed from the system of unlimited enlistment, they would sooner or later be compelled to adopt the recommendation of Mr. Wyndham, and decide upon establishing a service varying from seven to fourteen years. He hoped, however, his right hon. Friend did not give the high sanction of his authority to a proposal the effect of which would be to turn the soldier loose upon society after a service of fourteen years, after the best part of his life had been spent, without any pension whatever. He did not believe that any danger to the State was to be apprehended from turning a man, versed in military practices, out of the Army into the ranks of the people. The inclination of men who had once served in the Army or Navy was to adhere to their cloth, and to remain loyal; and so long as the middle classes continued as they were, there was little reason to dread a social disturbance. He did not understand why the right hon. Gentleman would consent to no alteration of the originally proposed period. The country would be a positive gainer from the men leaving after ten years' service. He thought the proposal of the right hon. Gentleman was a great improvement on the present system; and, therefore, he would not be captious, although it was not quite what he wished. But his chief reason for supporting this Bill was, that it would give a death-blow to the Warrant of 1833, issued by the right hon. Gentleman the President of the Board of Control. The proper course to take would, in his opinion, be to cancel that warrant, and establish a new one.

SIR DE L. EVANS wished only to say, that after the speech of the right hon. Gentleman (Mr. F. Maule) and the right hon. Gentleman on the other side of the House (Mr. S. Herbert), he thought it unnecessary for the warmest advocate of the Bill to trespass on their time; and he was ready at once to go into Committee upon it.

COLONEL REID said, the right hon. Gentleman (Mr. F. Maule) seemed to think that the dispersion of so large a number of men as 20,000, or, as the right hon. Gentleman called it, martializing so large a part of the population as would occur if this Bill passed, would be an imaginary danger. But in confirmation of the right hon. Gentleman (Mr. Sidney Herbert's) opinion, that there was real danger in thus martializing the population, he could quote the words of the Duke of Wellington:—

> "While Charles X. was able to preserve the peace of Paris with an army of from 500 to 1,000 men, it had required ever since the Revolution of July, 1830, 60,000 men, on an average, to preserve

> the tranquillity of the capital. What had happened at Bristol and Lyons showed the difference in power and efficiency between the existing Governments of France and England. The calamity at Bristol was at once put an end to as soon as an officer, at the head of a military detachment was found to do his duty; whereas, it required not less than 40,000 of the best troops in France, with the Minister of War and the Prince of the blood at their head, to quell, in the same time, the disturbances that had taken place at Lyons."

In his opinion, as the Reform Bill added to the political power of the people, so this measure was likely to add to their physical power.

Sir H. DOUGLAS, after the statement of the right hon. Gentleman the Secretary at War, would not divide the House.

House then went into Committee *pro formâ;* and, having resumed, the further consideration of the Bill was adjourned.

FEVER BILL (IRELAND).

House in Committee on the Fever Bill (Ireland).

The Earl of LINCOLN remarked, that he had no desire to interfere with the progress of the Bill, as he supposed some such measure was required in the present state of Ireland, and especially as he had urged upon the House, at an early period of the Session, the advisability of reconstituting the Central Board of Health. His principal object in rising on the present occasion was, to call attention to the statements which had been made by the right hon. Gentleman opposite, the Chief Secretary for Ireland (Mr. Labouchere). That right hon. Gentleman had given as his reason why the Board of Health should not be reconstituted, that great abuses had crept into the system as carried on by the late Government. He stated that certain acts to which he then referred had rendered it necessary to discontinue the Central Board of Health; and he remarked that numerous abuses had taken place; that the expenditure had been lavish and wasteful; and that the various complaints of mismanagement which had reached the Government, had made them determine to suspend the operations of the board. He would not move an amendment on the Bill, but he could not help expressing his belief, that, as regarded the permanent interests of Ireland and the proper application of relief, it was a great oversight in the Government not to have adhered to the Bill of last Session, and made the expenses be borne by the poor rates in the usual manner.

Mr. LABOUCHERE assured the noble Lord that the Bill had been prepared with great care, and had received the sanction of the highest authorities in Ireland, and of those who were most conversant with the state of that country. The present circumstances of the Irish people, and the necessity of providing relief, justified the departure from the Bill of last Session, alluded to by the noble Lord.

House resumed. Bill to be reported.

House adjourned at twenty minutes past One o'clock.

HOUSE OF COMMONS,

Wednesday, March 31, 1847.

Minutes.] Public Bills.—2° Prisons (Ireland); Troops during Elections.

Reported.—Poor Relief (Ireland); Fever (Ireland); Harbours, Docks, and Piers Clauses.

3° and passed:—Customs Duties.

Petitions Presented. By Lord J. Russell, from Wexford, for Repeal of the Union with Ireland.—By Mr. C. Round, from East Thorpe, against the Roman Catholic Relief Bill.—By Mr. Greene, from Lancaster, and Captain Pechell, from Brighton, in Favour of the Roman Catholic Relief Bill.—By Colonel Sibthorp, from Lincoln, for Repeal of the Duty on Attorneys' Certificates.—From William Edgworth Sanders, of Andover, against the Rating of Tenements (No. 2) Bill.—By Mr. Trotter, from Farnham (Surrey), in Favour of the Rating of Tenements (No. 2) Bill.—By Mr. Sheil, from Directors of the Hibernian Joint Stock Company, for Assimilating the English and Irish Laws respecting Bankers.—By Mr. Brotherton and other Hon. Members, from several places, against the Government Scheme of Education.—By Mr. Beckett and other Hon. Members, from several places, in Favour of the Government Scheme of Education.—By Viscount Sandon, from Liverpool, for Improving the Character of Education.—By Sir G. Grey, from Justices of the Peace of the County of Denbigh, for Alteration of the Law respecting Juvenile Offenders.—From Guardians of the Poor of the Goole Union, for an Efficient Poor Law (Ireland).—By Major Layard, from Roman Catholic Bishop and Clergy of the United Dioceses of Kildare and Leighlin, and Mr. M'Carthy, from the Grand Jury of the City of Cork, for Alteration of the Poor Relief (Ireland) Bill.—By Mr. B. Denison, from Guardians of the Poor of the Goole Union, for Repeal or Alteration of the Poor Removal Act. By Mr. Hume, from Dysart and Lossiemouth, in Favour of the Ports, Harbours, &c. Bill (1846).—By Mr. B. Denison, from Bradford, for the Suppression of Promiscuous Intercourse.

MASTER IN CHANCERY.

Mr. HUME was desirous of obtaining information from the noble Lord respecting the vacancy which had recently occurred in the office of the Masters in Chancery. The noble Lord was, of course, aware that Mr. Lynch had felt himself obliged to resign the office of Master on account of ill health. He was anxious that the appointment should not be filled up until a copy of the evidence taken in 1842 by the then Lord Chancellor, the Master of the Rolls, and the Vice Chancellor of England, should be laid before the House. That evidence, he understood, sanctioned several alterations and reforms in the Court of Chancery. He should hereafter move, that a message be sent to the Lords for a copy of the evidence, which he was informed was at present under the consideration of the Lord Chancellor; and he hoped that the vacancy in the office of the Master would not be filled up until the result of the evidence, and of the consideration it was now undergoing, should be known.

Lord J. RUSSELL said, that when this vacancy took place, he received a communication from the Lord Chancellor, informing him of what had occurred, and stating that no immediate steps would be taken for filling up the vacancy, in order that an opportunity might be afforded to consider if any, and what, alterations might be made in respect to the Court of Chancery.

DISABILITIES OF JEWS.

Mr. TRELAWNY asked Lord John Russell whether it was the intention of the Government to bring in any measure for the removal of the disabilities of the Jews during the present Session.

Lord J. RUSSELL replied, that it was not the intention of the Government to bring in any Bill limited to the object of removing the disabilities of the Jews; but he wished to take further time to consider whether it would be possible during the present Session to introduce a Bill which might make some alterations which appeared to be rendered necessary by the Acts of last Session, and particularly in respect to the taking of oaths.

POOR LAW COMMISSIONERS.

Captain PECHELL said, as hon. Members were about to return to their constituents, it was desirable, before they met them, that they should know whether it were the intention of the Government to supersede the present Poor Law Commissioners?

Lord J. RUSSELL said, it was intended to bring in a Bill upon the subject; and his right hon. Friend the Secretary of State for the Home Department would, he believed, give notice respecting it after the recess.

BRIGHTON POLICE.

Captain PECHELL again called the attention of Sir G. Grey to the case of Charles Cooper and three other persons who had been taken into custody and detained two days on a charge that could not be proved against them, and that they were not allowed to instruct their counsel except in the presence of the police officer. He wished to ask the right hon. Gentleman what he intended to do on the subject?—whether he intended to amend the law, if such was the law?

Sir G. GREY said, that inquiry had been made into the matter, and he was informed that the police-constable was not in a position to hear any communications that might have been made by the parties to their professional adviser; and he (Sir G. Grey) had been assured by the magistrates that they were confident the Brighton police would not do anything to prevent any accused parties from making those communications that were usual in such cases.

PUBLIC WORKS (IRELAND).

Mr. LABOUCHERE was anxious to take the opportunity of correcting an inaccuracy in the statement which was made by him the other day with regard to the operation of the rule reducing twenty per cent of the men employed on the public works in Ireland. He, on that occasion, stated correctly that the directions issued from the Government in England were that a reduction of twenty per cent should be made upon the aggregate number of persons employed on the public works; and then proceeded to state that a discretionary power was left with the Lord Lieutenant of Ireland and the Board of Works to apply that rule of reduction in such manner as to them should seem best; reducing in some cases more than twenty per cent, and in others less, according to their own discretion, provided they adhered to the principle that the reduction made on the aggregate should be twenty per cent. He found that the Lord Lieutenant of Ireland did not conceive that any discretion was, or ought to have been, left to him; but he conceived that it was, and ought to be, left to the Board of Works, as acting under the Treasury, and not under the Lord Lieutenant. He made the statement which he was now desirous of correcting, because, although there was no express authority for doing so, yet the Board of Works was in the habit of communicating with the Lord Lieutenant. The Lord Lieutenant, however, was of opinion that, under the particular circumstances, he ought not to exercise any discretion, but that the order having been made by the Treasury, and issued to the Board of Works, both the discretion and the responsibility for exercising it should rest upon the board, and not upon him. He thought it due to the Lord Lieutenant to make this statement, because what he stated on a former occasion, when not fully aware of all the circumstances, was certainly calculated to leave a false impression on the mind of the House. He thought the Lord Lieutenant had exercised a sound judgment in this matter, and that under the particular circumstances of the case it was for the Board of Works to exercise their discretion in carrying out the rule, and that the Lord Lieutenant judged rightly in leaving the matter altogether to the Board of Works, acting under the direction of the Treasury in London. In point of fact, the discretion was given to and exercised by the Board of Works in Ireland without reference to the Lord Lieutenant.

Mr. STAFFORD O'BRIEN considered the decision of the Lord Lieutenant a sound and wise one. He was happy to be able to state that the discretion exercised by the Board of Works in his own locality had given very general satisfaction.

LUNATIC ASYLUMS.

Mr. NICHOLL asked whether the Government contemplated any alteration in the law respecting pauper lunatic asylums, whereby counties or boroughs having no asylum for the pauper lunatics thereof would be relieved from the duty of erecting or providing such an asylum, in conformity with the provisions of the 8th and 9th Victoria, c. 126, and the 9th and 10th Victoria, c. 84, or whether it was intended to enforce the performance of that duty?

Sir G. GREY replied, that it was not the intention of the Government to propose any alteration in the law whereby counties or boroughs should be relieved from the duty of erecting or keeping up asylums for lunatic paupers. As to the latter part of the question, the hon. and learned Gentleman was aware, that by the provisions of the former of the two Acts to which he had referred, if within three years any county or borough did not take the requisite steps for complying with the Act, it would be in the power of the Secretary of State to interfere and compel them. That Act had received the Royal Assent on the 8th of August, 1845, and it would not be until three years from that time that the Secretary of State could take any steps to oblige counties or boroughs to perform their duty in this respect.

Mr. NICHOLL said, that both by that Act and by the Act of last year it was made imperative on the justices in quarter-sessions to give public notice of their intention to appoint a Committee to superintend the erecting or providing of these asylums; and he wished to know whether the Government meant to enforce the provision for the giving of such notices?

Sir G. GREY replied, that every step necessary to carry out the Acts would be taken, so as to provide for the due execution of their provisions.

POOR REMOVAL.

Mr. R. YORKE asked whether it were the intention of the Government to repeal the Poor Removal Act of last Session, if there should be no general revision of the poor-law system?

Sir G. GREY was not able to state that the Government contemplated any such measure, supposing that no alteration took place in the law of settlement. That subject was under the consideration of a Committee of the House; it was open to them to report upon the whole of it, the law of removal being much connected and bound up with it, and they would report whether any alteration should be made or not. Until that report was made, it would not be in his power to say what course the Government would feel it right to take.

LANDLORDS (IRELAND).

On the Motion for bringing up the Report on the Poor Relief (Ireland) Bill,

Mr. G. A. HAMILTON said, that seeing the hon. Baronet the Member for Marylebone in his place, he was anxious to lay before the House a statement he had received from a gentleman, formerly a Member of the House, Mr. Longfield, in reference to an observation made by the hon. Baronet in one of his speeches, respecting Irish landlords some time ago. Mr. Longfield stated that he had seen in the newspapers a speech of the hon. Baronet, in which he had introduced his name as having given a very small subscription to a relief committee out of a very large income; the words which the hon. Baronet had used were these—"In the case of Kanturk, a Mr. Longfield, worth 6,000*l.* a-year, had given 15*l.*" Now, Mr. Longfield stated—

> "My property, in the parish of Clonfert, in which the town of Kanturk is situated, consists of tithe rent-charge amounting to 436*l.* a-year,

from which are to be deducted poor rates, agency, sums not paid, &c. I have given to relief committees in this parish 30*l.* during the last year, double the sum that is stated, my property in the parish being about one-thirteenth of what it is stated to be."

He added, he could not but feel it to be a grievous injury, the statement that from an income of 6,000*l.* a-year, he should have given but 15*l.* to relieve the present extraordinary distress. So far from that being the case, he had given to the utmost extent of his power, by subscriptions to local committees in various places, by purchasing food, by residing constantly at home, and by giving extensive employment where he resided; he had also made a road at his own expense, at a distance from his residence, where there was a great want of employment during the winter. The hon. Baronet's informants might have referred to the amount of subscriptions in Mallow; it was a want of confidence in the committee which had prevented Mr. Longfield and others from placing money at their disposal. Those, he said, who probably had never been in Ireland, could not be aware of the endless demands for relief on those who resided there; if they had been, they would not make statements such as that of which he complained, without inquiry, to ascertain how far facts supported a statement which would be circulated wherever newspapers were read. Had the hon. Baronet been in Ireland, he might have ascertained that all contributions to relieve distress were not given through relief committees. He was aware that Mr. Longfield had given more than 250*l.* to relief committees, out of an income of not more than 3,000*l.* a year—30*l.* of it, instead of 15*l.*, being in a union, where, instead of 6,000*l.* a year, as the hon. Baronet had alleged, Mr. Longfield had only 436*l.* a year. He had no wish to provoke a discussion; but felt it due to Mr. Longfield, as a matter of common justice, that this statement should be laid before the House.

Sir B. HALL held in his hand two letters from reverend gentlemen connected with that part of the country, telling him that every word he had said in the House on this subject was perfectly correct. He thought it would be expedient that the return which he had moved for, and which had been ordered by the House on the 4th of February, showing the amount of the subscriptions that had been made for the relief of the poor in each union of Ireland, under different heads, should be laid on the Table forthwith. The return was important, because it would show at once whether the landlords of Ireland had done their duty or not, and he hoped no further delay would take place.

Mr. LEFROY had received so many complaints of the attacks which had been made in that House on the landlords of Ireland, that he hoped he might take that opportunity of saying a few words. The hon. Baronet was, he knew, as incapable as any man in the House of making an incorrect statement intentionally; but he hoped this would be a lesson to the hon. Baronet and every one in the House against making statements affecting character without due inquiry. The evil was very great of making such a statement in the House of Commons. It got abroad, and much pain was caused; and though the hon. Baronet, on the statement being contradicted, might get up in the handsomest manner and give up his authority, yet that did not wholly repair the mischief. The House had been told the case of this gentleman; then there came the case of another, who was said to keep hounds while the people were starving around him, which also turned out to be incorrect; but no one had mentioned the name of Lord Clonbrock, who had actually kept hounds, and had given them up and sold his horses since the famine came on. He held in his hand various letters from different proprietors in Ireland. One said, that he did not wish in any way to be placed before the public, but that he was relieving the distress all he could; that he had always endeavoured to do the same, and that he had no wish or care to be vindicated as an Irish landlord, except to reply when unjust charges were made upon the Irish landlords; that some parts of the country were in a miserable state from neglect of absentee landlords, and that it was not easy for those who had not received their rents to give; but that human life must be preserved at any cost. The hon. Member for Rochdale had made sweeping charges against the Irish landlords, but not in the manner that the hon. Baronet had done; for he gave no opportunity of meeting them, and he said that the Irish landlords most grossly neglected their duty. Now, this very individual had been already alluded to in that House; and he could state that this individual was supplying 9,000 persons per week with soup, besides a great expenditure in clothes and other modes of relief, and that he was doing everything he could for them. Then, as had already been stated, Sir R. Booth did a great deal; the fact was, he could afford to do, and really did, a great deal. He could mention another landlord, in Sligo, who had become alarmingly ill from his anxiety and attention to the poor in his neighbourhood, of whom, since last winter, he had in daily employment 350. This gentleman was now furnishing seed to his tenants, for whom he had also purchased a cargo of Indian corn. He was seeing that everything was properly done to insure the cultivation of the soil, and doing his utmost to relieve the distress of his neighbourhood. He had a soup-shop, besides giving a great deal at his own house; fifty-four women were employed by him weekly. He would mention one more case of a landlord who had been cruelly and grievously misrepresented as neglectful and careless about the poor in his neighbourhood; and, according to the statement which had been sent to him from Roscommon, this nobleman, who at any early period of the famine gave 500*l.*, had subscribed during the progress of the distress several sums of money to various relief and soup committees; and since the calamity set in supplied his labourers with cocoa in the morning and soup at mid-day, in addition to their usual daily wages, to the number of between 200 and 300; and supplied soup to their families three times a week; and had within the last month supplied upwards of 300 families with different articles of clothing and bed clothes; and had supplied wheat and rye gratuitously to the extent of several hundred pounds worth to his tenants holding ten acres and under. These statements showed, he thought, that the sweeping charges that had been brought against the landlords were unfounded in general, though he had always admitted that there were among them many distressed men who were unable to perform their duty. Another correspondent stated that his father had given seed oats, mangold, turnips, and carrots, and appointed a man to see that the sowing was done properly. A relation of his own in Tipperary had given his tenants seed, entirely at his own cost. He hoped that the hon. Baronet (Sir B. Hall) would inquire before he again brought such statements under the notice of the House, whether on the authority of rev. gentlemen or not, and that he would do that justice to the Irish landlords which he would wish to be done to himself. On the whole, he was satisfied it would be found that the landlords, in the circumstances of the country, were totally unable to do what they would do if they had the adequate means; and they could only hope that the measures of the Government would enable them to bear their share in relieving distress without exertions that would be overpowering.

Mr. YOUNG begged to call attention to the form of the return alluded to by the hon. Baronet, as it stook on the Order-book of the House. It was to state—1st, The balance (if any remaining) of the subscriptions of 1845 and 1856. 2nd. Private subscriptions advanced by owners, lessors, and occupiers of property in each union. 3rd. Subscriptions received from other sources. 4th. The amount from public grants. He had received many letters from Ireland complaining of the terms of the order, and he must say, a more grossly unfair return it was impossible to conceive. Every ostentatious rich person, who, perhaps, was doing very little, would appear on this return as it stood, while those proprietors who were residing on their own estates, and doing what they could for the poor personally, would not appear on it. Before the return was presented, he would take that opportunity of protesting against it. He must say, he thought it ought to be expunged from the Order-book of the House. He knew persons in Ireland who were not rich, but were spending one-half their income in the relief of the poor; he knew a clergyman who was devoting more than the whole of his tithes to the support of a soup shop in his parish. He knew a gentleman in Armagh who was supporting, and must for months support, more than 900 people, who were employed in labour that was unproductive to him; but none of these persons' names would appear upon the return as it stood.

Lord H. VANE fully concurred with the hon. Gentleman, and thought that it would be infinitely better that the House, even at that late period, should modify the form in which the return (which would probably be presented immediately after the recess) should be made. Great injustice might be avoided by taking that course, which would be the better course, both as being more just to individuals, and with a view to encouraging different modes of relief in Ireland. He felt that, if names were to be paraded in this way for the sake of ostentation, and it was to be stated before the public that such and such persons had given such and such subscriptions, the landlords would be discouraged from engaging in other modes of relief which might be much more available. If the hon. Gentleman would give notice that he would move, immediately after the recess, that this return should not be made, he would second the hon. Member.

SIR G. GREY said, as to the view taken of this return, calculated to deter the Irish landlords from the discharge of their duties, he was quite aware that the discharge of their duties was not shown by the amount of subscriptions given, but by the employment of the poor on their estates, and by residing on those estates. His attention had not been turned to this subject, and he regretted that his right hon. Friend the Secretary for Ireland was not present; this, however, was to be remembered, that the grants from the Treasury were made in proportion to the amount of subscriptions raised in each locality; and it was perfectly according to precedent for the House to call for a return of the subscriptions in respect of which grants of money were made. But if it was meant that the return should give the name of each subscriber against each sum subscribed, that would certainly be objectionable. He would inquire and endeavour to ascertain whether the return could not be made without that objectionable portion of it. The substance of the return was already given in the commissariat series of the correspondence with the Board of Works which was already before the House.

MR. YOUNG had no objection, when the Government of the country had advanced sums of money proportioned to private subscriptions, to give the information to which the right hon. Baronet alluded; but he protested against the document being taken by the House or the country as representing the amount of private charity, and to its bearing the interpretation which the hon. Baronet and the Marylebone vestry were inclined to put upon it.

SIR W. SOMERVILLE stated, that the general amount of the subscriptions had already been published in the commissariat papers.

MR. POULETT SCROPE certainly thought it was desirable to see whether the possessors of property in different districts had contributed in proportion to the amount of their property; and if the subject were to be renewed after the holidays, he should certainly like to review the correspondence he had received, showing that a vast quantity of the Irish landlords had neglected their duties, and that great distress had been the consequence. The fact was so notorious that it could not be denied, and he did not think it necessary to read any papers; and the neglect was not confined to the present occasion only, for on the authority of a report from the Commissioner appointed in 1834 to consider the state of the poor in the very district of Skibbereen, after the cholera, he found that the neglect of the poor on the part of the landlords was as great and flagrant at that time as it had been since. A subscription had been opened during the cholera, and the contributions came almost solely from the towns, the landlords having given little or nothing. One landlord who was possessed of 4,000*l.* a year had not given a farthing, though his tenants participated in the fund; the total subscription was 47*l.* 5*s.*, almost the whole of which came from individuals who were resident in the towns. In 1832, during the time of the cholera, the landlords were applied to; four only sent answers, and they contributed 11*l.* 5*s.*, the entire rental being 6,000*l.* a-year. So that this was by no means a new charge against the landlords, and it would be impossible to deny it, or to give to it a wholesale answer; but if the attempt were made by reference to particular instances, he should be ready to meet the hon. Member; but in his opinion, the time of the House might be better occupied. Large sums had been contributed by this country, and he believed the opinion to be general, that there was a necessity for making the maintenance of the poor compulsory on the landlords, and under that impression he had refused to bring individual charges forward; and he thought it high time that the voluntary support of the poor should be put an end to altogether.

MR. STAFFORD O'BRIEN, in reply to the hon. Member for Stroud, reminded him that the hon. Member for Longford had not said that the landlords had done their duty; he only on the eve of recess defended those landlords whose characters were attacked. The hon. Member for Stroud threatened the House with a mass of correspondence; and, not content with that, went as far back as the time when the cholera raged in Skibbereen, to make charges against Irish landowners of delinquencies committed fifteen years since, by parties, some of whom he knew were dead. The hon. Member wound up by expressing a hope that crimination and recrimination would exist no longer; but if the hon. Gentleman were to keep an ambuscade of correspondence to fire off upon every occasion, he (Mr. Stafford O'Brien) could see no hope of those unpleasant recriminations coming to a conclusion. When hon. Gentlemen made statements who had no connexion with Ireland, who had no local knowledge of that country, in which, he believed, the hon. Gentleman had never been, it became the duty of those who had connexions in that country, and who had some practical knowledge of it, not to submit to such attacks as those of the hon. Member for Stroud in silence. The House had affirmed the principle of extending relief to the poor, and were about to try a great experiment. No man who had considered the subject and the extent of the change could deny it was a great and formidable experiment. One way to make it fail was to exasperate the poor against the rich, and make those who were well disposed to do their best, give up in despair, by ungrounded and false statements; and the result would be to create a mass of misery which must speedily react on England. He thanked most heartily the noble Lord the Member for Durham for the manly, fair, and just views he had taken of these returns: they would have, he had no doubt, a beneficial effect. He hoped his hon. Friend would not interfere with the presentation of the return, as the right hon. Baronet the Secretary of State for the Home Department had stated that there would be no objection to produce a list of the grants of public money side by side with the local donations. The imperfect nature of the return ought to read a lesson to the Government not to grant returns so easily, when they could not accurately give the information required. They only gave rise to mistakes. The misrepresentations made in that return was only a part of the obloquy the landowners of Ireland had to bear as a punishment for their past errors. They must submit to it; and he hoped they would survive it. Now that they were about to separate, he thought it right to take that opportunity of thanking the Government for the kindness and patience with which they had listened to the suggestions which had been made, and for the way in which they had passed the measures through the House. Their desire for the amelioration of Ireland deserved the gratitude even of those who had opposed the measure; and, although he himself had proposed some amendments, he should, in his situation as a magistrate, try to carry out the Bill in the same spirit in which it had been brought forward.

Mr. VERNON SMITH thought the hon. Member for Northampton had been too hard on the hon. Member for Stroud, who had only spoken because he considered his remarks called for by what had passed before. He thought all were agreed that the return would be an unfair one; and if the hon. Member for Cavan (Mr. Young) wished that it should not go forth to the public, he would move, when the return was brought up for presentation, that it should not be printed. He thought the Poor Relief Bill ought to pass without obloquy being cast upon those who would be intrusted with the carrying out of the measure.

Mr. GOULBURN said, that as the opinion of the House went with the hon. Member for Cavan, it would be unnecessary to discuss the fallacy of the information which this return would give, if it were produced to the House; but he rose for the purpose of suggesting to the Government that as his hon. Friend could not, in the absence of the hon. Member for Marylebone, alter the resolution of the House, they should receive an assurance on the part of the Government that so much as related to the amount which individuals resident in each district had subscribed, should not be produced till his hon. Friend had an opportunity of moving for an alteration in its terms. The object of the return was answered, as the amount of public money granted was before the House; and the return would lead to an unjust inference, and to prejudicial consequences, as it would tend to make landlords abandon the most important duties on their estates, and to subscribe to institutions which were only brought into action to supply the neglect of those duties by the landlords. He believed, however, that the present Bill was not brought forward for the punishment of particular landlords, but because the belief was general that private charity was not sufficient, and ought not to be wholly relied on.

Mr. LABOUCHERE regretted having been unavoidably absent during the earlier stages of this discussion. He had no difficulty in saying that his right hon. Friend the Secretary of State for the Home Department would not lay the return upon the Table until the hon. Gentleman (Mr. Young) had had an opportunity of making his proposal for altering the terms of it.

He knew that many landlords in Ireland thought that whatever means they could afford towards relieving distress would be better expended in providing work upon their estates, or in soup, than in any other mode. Nothing would be more unfair than to point out to public odium, or to those who might not be aware of all the circumstances, the names of particular individuals who had not given any or large subscriptions. At the same time he hoped nothing would go forth from that House as expressive of an opinion, that private subscriptions were not in any case very important, or that they had not been useful and beneficial in mitigating the existing distress.

Mr. TRELAWNY thought this was one of those occasions which might be improved—to use a phrase sometimes employed under very different circumstances. The inequality of the sums given in charity by Irish landlords was precisely the ground he used for a poor law; yet he knew there were strong opinions against it in influential quarters out of that House, and those opinions had been supported by arguments which ought to be met as soon as advanced, lest they should sink into the public mind, and produce a reaction unfavourable to the ultimate success of the scheme. Now, what were these arguments? Some eminent political economists were averse to a poor law at all, as being, in its nature, a confiscation of property. He stoutly denied that it was so. He was prepared so show that it was not a confiscation, but a compromise. A real poor law, to be efficient, should be coupled with a mendicancy law, making it criminal to beg. For so long as able-bodied paupers were allowed to wander about the country imposing on the credulous good nature of simple folks, greater evils befell property than the small per centage which a poor law practically inflicted. For, in the first place, whilst nearly as much was given in charity, without a poor law, as a poor law would extort, it happened in practice that the deserving were mixed up with the indolent and criminal; and, at the same time, the law was levied, not upon the whole of society, but on those whose benevolence outstepped their common sense or judicious regard for the public interest. A poor law, then, became a compromise between the right to property and the right to beg. Without State provision for proved destitution, arising out of no fault, but misfortune, no Government, having a regard to its permanence, could safely prohibit the right to solicit relief. A noble Lord in another place spoke of the clamour and excitement raised in England on the subject at that moment, and said they rendered it an unfitting time to pass such a law as that. No wonder there was clamour and excitement. Why, he could not understand how any one, having an interest in public affairs, could rest until a check was imposed on the profligate waste of the hard earnings of the English peasant and artisan under the Labour-rate Act. That an Irish landlord should have expected quietness and calmness of demeanour in the Saxon countenance at that precise moment of all others, did, he must say, surprise him exceedingly. The plea of England was short and simple: ought a country to feed itself, or ought it not? And if it ought, the next question was, how should it be made to do so? There was no way but by the increase of its produce. But was that possible? It was proved to be so by a thousand witnesses, and by known and authenticated examples. A noble Lord in another place had made a speech of inordinate length to prove the frightful evils which would arise from a state of things which was rarely likely to exist—he meant out-of-door relief to the able-bodied. He all along assumed that the unions would be always full. Had he, then, such experience of the Irish disposition to self-taxation? Did the annals of the Castlebar union beget such a conclusion? Was it not rather to be feared that Celtic ingenuity would evade the tax altogether? In times of famine, and then only, the houses would be full—and then they ought to be so. One great authority, whom every thinking man in this country would respect, had recommended emigration in lieu of a poor law. But he contended they were in principle the same thing. A tax on property, levied in any shape, either to support or export redundant population, was in its essence a poor law. Nor could it yet be shown that Ireland was so full that, with good management, its population might not be advantageously doubled. He hoped, therefore, this measure would be carried as speedily as possible, in justice to both Ireland and England.

The Poor Relief (Ireland) Bill was then reported, and ordered to be read a third time.

THE ARMY SERVICE BILL.

On the Order of the Day being read for

going into Committee on the Army Service Bill,

Sir DE LACY EVANS regretted that he did not see the right hon. Gentleman the late Secretary of War (Mr. Sidney Herbert) in his place, while he (Sir De Lacy Evans) made the few remarks he had to offer. That right hon. Gentleman had stated the fact that, with the exception of the non-commissioned officers in the Army, the great body of the soldiers were of fifteen years' standing in the service—that was, he said, the natural period of the service in the Army. He must say, that after that expression of opinion, and considering the well-merited respect which was due to the right hon. Gentleman for kindness to, and great care of, the Army, he confessed he was astonished at the deduction which he made in recommending that the period of service should be reduced only one year. He trusted that the hon. Gentleman would alter his opinion of the question; and to induce him to do so he would recall to his recollection the warrants which he issued in 1845, giving the privilege for enlistment for twelve or fourteen years. The proposition for the reduction of one year would be perfectly nugatory as a benefit to the soldiers. With regard to what had fallen from the hon. and gallant Member, he would remark that what he had stated about the money of 800,000 dollars must have arisen from an error of the press. He (Sir De Lacy Evans) had looked over the despatches, and was convinced that such must have been the case. The despatch of the Duke of Wellington, which the hon. and gallant Officer had quoted in reference to the Peninsular soldiers, so far from going against the present measure, he was persuaded was rather in its favour, as it showed that, even in the midst of a most important war, a limited enlistment had not been found prejudicial. The greater proportion of the hon. and gallant Member's address, however, bore about as much relation to the measure before the House as Tenterden steeple bore to the Goodwin sands. While referring to the Duke of Wellington, he would take this opportunity of thanking him for his recent elevation of so many officers from the ranks. During the past year no less than forty-three non-commissioned officers had been raised to ensigns and cornets. This was but a tardy act of justice, and following out what had been done for many years in France, Russia, and other countries. There were no less than four individuals who, in his humble opinion, were far better qualified to come to a right decision on this Motion than any general in the Army. These were the noble Lord now at the head of the Foreign Department (Lord Palmerston), who had been for nineteen years Secretary at War; and the Secretary for the Colonies, who had also for some time been Secretary at War. The others were two gentlemen who had been also Secretaries at War. The hon. and gallant Member opposite had thought it right, because the noble Lord at the head of the Government had declined giving the correspondence between the Ministry and the Commander-in-Chief, to assert that the noble Duke at the head of the forces was quite opposed to the principle which they had adopted; and a morning paper had thought proper to abuse him for having differed from the hon. and gallant Member opposite. But what was the case? Why, if the hon. Member would read the despatches of the noble Duke, who had not been lauded more than his illustrious services and illustrious character had deserved—if they would read these despatches a little more zealously—they would soon perceive that his opinion was very different to what it had been represented. In his communications with the Government, when in Spain, he had frequently told them that, although the troops sent over were at first in a high state of discipline, yet they soon lost that discipline and the efficiency with which they first arrived; and in all these communications the noble Duke had repeatedly pressed the necessity for improving the *morale* of the Army, and had urged the wisdom of enlisting a better set of men, and of increasing the pensions of the men who were entitled to their discharge. This opinion, then, came in well to support the decision of civilians; and he was therefore justified in asserting that civilians were fully competent to judge of such a measure as this. The noble Duke had stated that it was, of all things, most important to raise the character of the men in the Army; and in this opinion he was supported by a man eminent for his success in life—he meant Oliver Cromwell. Well, he believed that at the time the opinion he was about to state was delivered, that Cromwell was a civilian; for he believed that he was nearly 40 years of age before he entered the army. It was well known that in the first two campaigns of the civil war, that the Parliamentarian army was unsuccessful; and in one instance a portion of their troops was driven into Brentford; and it was recorded in the statement of a conversation that had taken place between Cromwell and Hampden, that Cromwell, to whose ingenuity and care the elevation of the character of the men was chiefly owing, had expressed great doubts of the ultimate success of the conflict. To remedy this defect, he said that he would go down into Lincolnshire, where he was well known, and enlist the sons of the yeomen there, whose hearts as well as their hands would be in the cause. He had done so; and it was, in his belief, owing to that movement of Cromwell that he succeeded.

Mr. GOULBURN remarked, that no sufficient argument had been offered by the right hon. the Secretary at War against the proposition to extend the period of enlistment to fourteen years. He thought it extremely improbable that commanding officers would be more backward to re-enlist men who had served fourteen years, as they had thus had four years more experience than those who served ten years. The question before them was one of very great importance. He quite subscribed to what the right hon. Gentleman the Secretary at War had said with respect to the benefit which might accrue to the soldier by a term of limited engagement; but the point was to what extent that engagement ought to go, whether seven, ten, or fourteen years? This was a most important consideration, and might materially influence the future character of the Army, and upon that account no conclusion should be arrived at without the fullest and most attentive deliberation. If the object of limited service was to get a better class of men into the Army, he submitted that that was desirable, and would be equally well accomplished by extending the period of enlistment from ten to fourteen years. He agreed that it would be highly improper in the House to regulate the amount of pensions to be given upon retirement; but he trusted the pension warrant would be contemporaneous with any alteration that might be made in the service. He was of opinion that after twenty-one years' service such a pension ought to be awarded to the soldier as would be sufficient to maintain him, and thus put an end to the system which now prevailed, and under which the soldier was compelled to apply for parochial relief. A great injustice would be done to the soldier unless they made an arrangement of that kind. The Bill provided that at the end of ten years' service the soldier might be at liberty to enrol himself, and serve for twelve days a year in the pension battalion, and that if he so served for twenty years, he would be entitled to sixpence per day; but it likewise provided that the man who re-enlisted should, provided he served for twelve years, receive, at the expiration of that time, a similar pension of sixpence per day. What a great difference was there not between the cases of the respective men! The man that remained at home with his family followed, perchance, a profitable employment, and enjoyed a healthy climate; and yet for 240 days' service at home, which was only amusement to a soldier, they gave the same amount of pension as to the hard-working soldier, who in all varieties of climate, and at all hazards, had served for 4,000 days. Surely the positions of the men were not placed upon any terms of parity. In his opinion fourteen years would be a more desirable term of enlistment, not only upon the ground of expense, but for many other considerations; and he would give his support to the proposition to that effect.

It was proposed to fill up the blank with the word "ten."

On Clause 1,

Sir HOWARD DOUGLAS moved, as an Amendment, that the word "ten" be omitted, and the word "fourteen" substituted as the limited period of enlistment.

Mr. HUME objected to the Amendment of the gallant Officer, inasmuch as he was of opinion that the limited period ought to be seven years, and not ten. If they adopted the period of seven years for enlistment, they would obtain a superior class of men to those who now entered, and they would not be driven to fill up the ranks of the Army with the sweepings of the gaols. It was by such a course, and by making the situation of the soldier as comfortable as possible, that they could obtain a good class of men for the Army. He was strongly in favour of a seven years period of enlistment, but he was contented to take ten years as the present proposal, being satisfied that it would lead to the shorter period.

Colonel LINDSAY supported the Amendment, as by the adoption of the longer period, fourteen years, they would retain in the Army a greater number of old well-conducted soldiers.

Mr. F. MAULE said, that he had stated last night his objections to the adoption of any period longer than that which he proposed, and he could not agree to the Amendment.

Sir H. DOUGLAS said, that the longer term would be productive of many advantages, and referred to the artillery as a proof of the insufficiency of a ten years' enlistment. It took four years to make an artilleryman fit for his duties, and the sergeants in the artillery were generally men of twelve years' service. He was so strongly impressed with the importance of the Amendment, that he thought it right to take the sense of the House upon it,

The Committee divided on the question that the blank be filled up with ten:—Ayes 62; Noes 27: Majority 35.

Clause agreed to.

On Clause 2,

Colonel WOOD moved a verbal Amendment with a view to enabling the soldier to re-enlist during the last year of his first period of service, instead of at the end of it, as proposed by the clause. His object in moving the Amendment was to give the soldier a full year to make up his mind as to whether he should remain in his regiment or not, instead of calling upon him suddenly at the end of his first period of service to say if he was willing to re-engage himself for a period of eleven years.

Mr. FOX MAULE did not think the Amendment would have the effect which the hon. and gallant Colonel was desirous to produce, whilst it would have the disadvantage of preventing the man from going home to his native place at the end of his service, and remaining perhaps for four or five months there. If a man re-engaged during his last year of service, such a re-engagement would deprive him of that opportunity of going to see his friends; whereas, by permitting a man to go amongst his friends after a short period of service, such as that proposed by the Bill, there was a probability that on his return to re-enlist, he would bring other men with him to enter the Army, and it was to be supposed that those men would be of good character—thus the arrangement would prove a means of obtaining a good class of men; he could not, therefore, agree to the Amendment.

Mr. GOULBURN did not think Colonel Wood's proposition an unreasonable one.

Colonel REID wished to know whether it was to be left to the will or the caprice of the soldier to say for how long a term he should re-enlist? The Act provided that a man might re-enlist for "any term not exceeding eleven years." Was it intended that he should re-enlist for one year only if he thought proper, because that was the meaning of the clause?

Mr. F. MAULE admitted that there was some ambiguity in the clause, and he proposed to substitute "for the further term of eleven years," which would fix that period for his re-engagement.

Colonel REID wished to call the attention of the Government to the circumstance, that while men who might be enlisted under the provisions of this Bill would be entitled to their discharge at the end of ten or twelve years, the men who were now serving in the Army, and who had been enlisted for an unlimited period, would be dependent for their discharge on the will of the commanding officers. This state of things would create great discontent in the Army; and he hoped the Secretary at War would give the subject his serious consideration.

Amendment negatived without a division.

On the question being again put,

Colonel T. WOOD observed, that it could not be expected that a soldier who had served for ten years in the Army would volunteer for an additional service of eleven years without an increase of pay. He thought that a man who volunteered to renew his service had a claim to an increase of pay, and he hoped the right hon. Secretary at War would consider this subject.

Mr. F. MAULE said, that the object of the Government was to place the soldier in as favourable a position as possible; but it would be more convenient not to discuss such matters as that to which the hon. and gallant Member had referred now, but to leave their consideration to those to whom the management of such affairs was immediately committed.

Colonel REID wished to remind the right hon. Gentleman (Mr. F. Maule) that under the existing regulations a soldier now serving in the Army could only obtain his discharge by the payment of 10*l.* or 15*l.*, and he must say that he thought old soldiers ought to be entitled to their discharge at the expiration of a certain period of service without such payments.

Mr. F. MAULE did not feel at liberty to deprive a man who entered the Army of the power of purchasing his discharge, if circumstances arose which rendered it necessary for him to quit the service by such means; and he could not pledge himself, by any statement in that House, as to what arrangement might or might not be made with reference to granting free discharges to old soldiers.

COLONEL T. WOOD asked whether, supposing at the expiration of his period of service, a soldier was undergoing the sentence of a court-martial, his punishment would cease on the expiration of that service?

MR. F. MAULE would make inquiry on that point; but he presumed that a soldier under sentence of court-martial would undergo the whole of his punishment before he was entitled to his discharge.

The clause agreed to, as were the remaining clauses of the Bill.

MAJOR LAYARD then said, that as they had adopted all the clauses in the Bill, he would propose the following clause:—

> "And be it enacted, that at the expiration of three years from the passing of this Act, any person now enlisted to serve Her Majesty who shall have completed the term of ten years in the infantry, or twelve years in the cavalry, artillery, or other ordnance corps, to be reckoned as aforesaid, and who shall give three calendar months' notice to his commanding officer that he is desirous of being discharged, shall be entitled to the benefit of this Act, and to the provisions thereof, in as full and ample a manner as if enlisted after the passing of this Act."

He was most anxious that this Bill should not pass without such a provision being made for the soldiers in the existing Army. When he had first taken up this subject, he had taken pains to ascertain the injury of the short period of enlistment; and he was quite assured not only that the Bill would be beneficial, but that it would be so beneficial, that unless its influence was extended in the manner he proposed, great injustice would be done to the men already in the Army. Great apprehensions had been entertained, not only in that, but the other House of Parliament, that the setting of the soldiers at liberty as proposed by this Bill would seriously endanger the country; but he could not see any grounds for such apprehensions. Indeed, the hundreds of parties with whom he had conversed on the subject, and who were the most competent to give an opinion as to the effects of the Bill, stated decidedly that they expected the greatest advantages to result from it to the Army and the country at large. They stated that it would henceforth be of the utmost importance to the safety of the country, that there should be men not only in the Army, but out of it, who were well acquainted with the use of arms; and the effect of this Bill would undoubtedly be to produce a great number of such men. The possession of our sea-girt isle had, by the introduction of steam, become very much altered, and it would be necessary to have our people skilled in the use of arms. The House was aware that the soldier was debarred from the privilege of petitioning the House; but he was convinced that, if they had been at liberty to do so, they would have forwarded a host of petitions, praying the House to extend the privileges of the Bill to the existing Army. But he trusted that the generosity and good feeling of the House towards the Army would induce them to accede to the soldiers' wishes, notwithstanding the compulsory absence of their petitions. He implored the hon. Members of that House, on whatever side they might happen to sit, not to refuse to the gallant men who defended their country that ray of hope which all men required to light them along the rugged path of a chequered existence. He implored the House to grant to those men a hope that they should, in a short time, be enabled to return to the bosoms of their families after their arduous toils on behalf of their country. By so doing the House would only be acting towards them in that generous spirit to which they were entitled.

Clause brought up and read a first time. On the Motion that it be read a second time,

SIR DE L. EVANS conceived that it was but just to the existing Army, that some such provision should be inserted. As he had said on a previous occasion, so he would now repeat, that he could not conceive that any practical inconvenience whatever would accrue from extending the privileges of this Bill to the members of the existing Army. The Government ought to express their intention on that point.

MR. F. MAULE was rather sorry to say, that he differed in some degree from the opinion held by his hon. and gallant Friend, who was no doubt a very high authority upon such subjects as these. He thought that what had fallen from the gallant Member would tend rather to increase than sooth the dissatisfaction of the existing Army. He was glad to know that his hon. and gallant Friend (Major Layard) approved of the experiment of a limited service in the Army; but he was afraid that a great responsibility would attach to the Government if they consented to his proposition of extending immediately the benefits of this Bill to the existing Army. By the existing Army, he meant, of course, all those who had served for a period of ten years in the infantry, and twelve in the cavalry or artillery. He thought that the adoption of the proposed clause would cause very great inconvenience. He was also of opinion that it would not be convenient for the Government to make any declaration of the course which they might hereafter think it right to adopt with reference to the extension of the privileges of the Bill to the men now in the Army, before they had some knowledge of the working of this measure as regarded the Army and the public mind. His hon. Friend had stated that they could hear nothing from the existing Army in the shape of petitions respecting this Bill, that the soldier was deprived of the privilege of petitioning the House. It was very true that the soldier was not allowed to petition the House; but he believed that one of the laws under which the soldier was governed, provided that inquiry should be made by proper parties into the minutest grievances complained of by a soldier. It was true that in several instances the soldier was afraid of asking for an inquiry; but in a case like this, which involved no dispute between him and his superior officers, he believed that if they had felt very much aggrieved they would have made their complaints to the commanding officers against the Bill. Without meaning to cast any reflection upon his hon. Friend, who was entitled to great praise for his great exertions in the cause of the Army, and to whose measure of last Session he (Mr. Maule) was greatly indebted for the present, he must say that if his present proposal were adopted, it would not be in accordance with the opinion of the highest authority in the Army. The gratitude of the House was undoubtedly due to his gallant Friend for the bold and honest manner in which he had invariably given expression to his opinions on the state of the Army, and the necessity for its improvement. He thanked him for the support which he had afforded to him in carrying out this Bill as originally proposed; and he hoped that, if it should receive the sanction of the Legislature, it would give complete satisfaction to the public. He believed that the Bill would be of the greatest service, not only to the Army, but to the country generally. The Government would consider the proposition of his hon. and gallant Friend; and if it should be deemed prudent to adopt its principle, they would willingly do so after they had an opportunity of witnessing the operation of the Bill in its present shape.

Sir DE L. EVANS begged to suggest to his hon. and gallant Friend, that, after the satisfactory statement that had been made, he should consent to withdraw his proposition.

Colonel LINDSAY concurred with his two hon. Friends, as to the justice of extending the benefits of the Bill to the existing Army. He had, however, the fullest confidence in the Government, and would willingly leave the matter in their hands.

Major LAYARD could not say he felt the entire satisfaction avowed by the hon. and gallant Member for Westminster; but knowing, from experience, that when the Government held out the slightest hope that the statement of a hardship should be attended to, they would really and seriously consider what could be done to remedy it, he should not press the Motion.

Clause withdrawn. House resumed. Bill to be reported.

House adjourned at half-past Five o'clock to Monday April 12th.

HOUSE OF COMMONS,

Monday, April 12, 1847.

Minutes.] **New Member Sworn.** For Bedford County, Lord Charles James Fox Russell.

Public Bills.—1° Parliamentary Electors.

2° Exchequer Bills (18, 310, 700*l*.).

Reported.—Army Service; Troops during Elections.

3° Harbours, Docks, and Piers, Clauses.

Petitions Presented. By Lord C. Russell, from Bedford, for the Better Observance of the Sabbath.—By Sir G. Clerk and Captain Gordon, from several places, against the Marriage (Scotland) Bill.—By Sir R. H. Inglis, from several places, against the Roman Catholic Relief Bill.—By Dr. Bowring, from Exeter, in Favour of the Roman Catholic Relief Bill.—By Mr. Hume, from Haddington, for Repeal of the Inventory Duty, &c.—By Lord George Bentinck, from Bradford, for Repeal of the Anatomy Act; also, from Donald Bethune, of Toronto, Canada, for Protection.—By Lord Alford and other Hon. Members, from a great many places, against the Proposed Plan of Education.—By Viscount Sandon, from Liverpool, for Alteration of the Proposed Plan of Education.—By Mr. Bannerman, from Aberdeen, against the Repeal of the Navigation Laws.—By Mr. Bowring, from Ramsey, Isle of Man, in Favour of the Ports, Harbours, &c. Bill (1846).—By Mr. J. Dundas, from Blackheath, and Sir T. Troubridge, from Sandwich, for the Suppression of Promiscuous Intercourse.—By Mr. Strutt, from Glasgow, in Favour of the Railways Bill.—By Sir G. Clerk and Mr. Lockhart, from several places, against the Registering of Births, &c. (Scotland) Bill.

SUPPLY—THE ARMY.

LORD J. RUSSELL having moved the Order of the Day for the House to resolve itself into a Committee of Supply,

SIR H. DOUGLAS rose, pursuant to notice, to call attention to the cases of medical officers, surgeons, and paymasters of regiments, who have not been included in the warrant issued in May, 1846, consequent upon the Motion he made in April, 1845, for an improved retirement to a limited number of medical officers, and all officers of regimental staff, to extend to them the benefits conferred by the warrant dated the 1st of October, 1840, to officers of all other branches and arms of the service. Deeply impressed with the magnitude of the calamity which has fallen upon our sister island, and thereby on the nation, he should be most reluctant to recommend any measure for the adoption of the Legislature which could have the effect of adding significantly to the burdens sustained by the people at this inauspicious moment; and were this a proposition of that character, he would defer it to a more convenient season. But the act of justice which he was about to seek at their hands would not have this effect; and the right hon. Baronet the Chancellor of the Exchequer, if he were present, far from being alarmed, would be surprised at the smallness of the cost at which this boon might be impartially conceded, the measure being, to a certain extent, self-sustaining. He would briefly state the case. In October, 1840, a warrant was issued, granting full-pay retirement to a limited number of officers of infantry and cavalry, including 20 lieutenant-colonels, 20 majors, and 115 captains, of whom 45 might be brevet-majors. This boon was soon after extended by warrant to a limited number of officers of artillery, engineers, and marines, and Navy; and he might mention here that the promotion of these retired officers by brevet was allowed to go on, which not being the case with retired officers of cavalry and infantry, was a distinction which, in his opinion, ought not to exist, and to remove which would cost nothing. This full-pay retirement, however, having been granted to officers of cavalry, infantry, artillery, engineers, and marines, was not extended to medical officers, nor to the officers of the regimental staff, namely, surgeons, paymasters, quartermasters, and veterinary surgeons. Deeming this distinction unjust, he (Sir H. Douglas), in the year 1845, in Committee on the Army Estimates, brought the subject under the consideration of the House, when his views appeared to meet with unanimous approbation, at least no objection was urged against them. In May, 1846, a warrant was issued, granting an increased retirement to quartermasters and veterinary surgeons to the extent of about five-sixths of their pay; but neither paymaster nor surgeon were included. The improved retirement granted to veterinary surgeons and quartermasters was 8*s*. and 10*s*. a day, respectively, after thirty years' service. His object was to urge the just claims of paymasters, regimental surgeons, and medical officers, to participate, in like proportion, in those advantages. The principle of this arrangement was not confined to the two classes of officers to which he referred, but was established by Act of Parliament to regulate the amount of retired allowance to all public functionaries in certain proportions to their full pay, or salaries, at the time of retirement, increasing by twelfths for every five years' service, commencing after having served ten. The effect of this would be to increase the retiring pay of the other two classes, from 15*s*. to 18*s*. and a fraction. The measure, as he had stated, would, to a certain extent, be self-sustaining, for the pay of a regimental surgeon who had served thirty years, being 1*l*. 2*s*. a day; and that of a paymaster, 1*l*. 2*s*. 6*d*.; and the former being succeeded by a surgeon, commencing on 13*s*. a day, and the paymaster by one on 12*s*. 6*d*. a day, there would obviously be a commensurate saving. But what paymaster or surgeon would give up 22*s*. a day in addition to the advantages which he derived from barrack accommodation, lights, fuel, a soldier servant, and the advantages of a mess, which might be taken altogether, equal to 10*s*. more, to retire on 15*s*. a day? What was the consequence? That these officers were obliged to cling to active service long after their physical powers were too much impaired to discharge efficiently their laborious duties, and much longer consequently than was consistent with the good of the service or their own comfort. The hon. and gallant Member then referred to documents, from which he cited cases of paymasters who had been from thirty-eight to forty-four years in the service, and referred to letters written by those officers, showing the pernicious effects which such long service had produced on their health and efficiency.

Names.	Regiments.	Services.	Total years Serv.
Drawwater	4 Dr. Guards	Copenhagen West Indies Peninsula	41
Eagar..........	90th Reg.		40
Pennington	48th ,,	Peninsula, 1809 to 1814	39
Jellicoe	London Dis.		39
Leech..........	9th Lancers	Peninsula, 1813, to end	39
Prior	12th Lancers	East Indies	37
Grimes	Chathan	Pindarree	39
Boyd	11th Reg.	Watcharer	38
Nicholson	53rd and 75th	Peninsula 5 Jamaica 11 East Indies 3	38
Maunsell	Newry		38
Cormick	3rd Dragoons	1812, to end Penin. 1808, to 1813, Affghanist., 1842	40
Holden	Rifle Brig.	Calabria, 1810 Adriatic Sicily, Naples	42
Carmichael	36th ,,	.. ..	43
Raymond......	27th ,,	.. ..	38
Dumford	39th ,,	.. ..	40
Ralston	64th ,,	East India Seringapatam	42
Graham........	72nd ,,	.. ..	41
Court..........	73rd ,,	.. ..	39
Hunter	98th ,,	.. ..	38

He was aware that paymaster Drawwater had, by the last Gazette, retired, and had been succeeded by paymaster Ralston, of the 64th Regiment; but it appeared by a letter he held in his hand, that paymaster Ralston would very much prefer the provision of an improved retirement; whilst paymaster Drawwater, in despair of obtaining this, had retired upon the present inadequate allowance. The following is the statement of paymaster Ralston's services:—

> "I purchased a company of Dragoons in 1804, and served with my regiment in India the greatest part of the time till 1819, when the corps was disbanded on arrival in England. I thereby lost the value of my troop, being then a captain. I was seven years in the West Indies, where I was on two different occasions left as the only officer of my rank alive at head-quarters, and had to perform all the duties required of me. I was perpetual president of all regimental courts-martial, courts of inquiry, boards, &c. &c., and, besides, had to take my tour of general, district, and other courts-martial, with the other officers of the command, for many consecutive months without relief. In such a climate, and having to go several miles to general courts-martial, this was rather hard duty, in addition to my own as paymaster. I am nearly forty-three years in the service; for my short half-pay turn was not for my convenience, but by reduction: and by the removal of my regiment from Jamaica to Nova Scotia in winter, I contracted a chest complaint which I have never thoroughly got rid of; having thus lost my health in the service."

The hon. and gallant Member proceeded to state—Let it not be forgotten that when an officer was appointed paymaster, his half-pay is stopped; and this is the only class of half officer to which this rule is applied; and if he had purchased his commission, he forfeits the right of sale, and loses his purchase-money. The office of paymaster, besides, is one of great responsibility. He is obliged to provide two sureties of 1,000*l.* each. He is called upon to serve on courts-martial and courts of inquiry, and not unfrequently has thrown upon him the supervision and drawing up of the quartermaster's and other accounts. However unhealthy the climate may be in which the regiment is stationed, he has less indulgence, as to leave of absence, than any officer in the service; and he never escapes from his responsibilities. He would not contrast the condition, claims, and duties of paymasters, which justly entitled them to consideration, with quartermasters; but would only urge that we were bound to extend to the former the advantages already granted to the latter. And now, with respect to medical officers, surgeons, of regiments, whatever argument could be urged on behalf of paymasters, might be applied with greater force to the case of that learned, most important, and as he thought rather neglected class, entitled on every account to the first consideration and distinction. The army surgeon, it is true, does not purchase his commission; but the expense necessarily invested on his education must not be forgotten; and he, like the paymaster, cannot realize this by sale, for the benefit of his family. No one who knows anything of the severe and painful duties which a medical officer has to discharge, and the services in which he must be engaged, in the presence of disease of every kind, facing death in every shape, can doubt of the hardships which officers of that class must have undergone during a service of thirty years. The surgeon, too, let it be remembered, must be in full possession of all his energies, keep himself well up to the mark in every improvement in practical surgery and in medical science. Paymasters and quartermasters may, with rather diminished powers, cling to the service without any great detriment to it, or inconvenience to themselves, after these had somewhat faded; but there was a period of life beyond which the medical officer, however perfect his intellect, could not discharge effectually his duties on the field as surgeon of the regiment—a period beyond which vision becomes imperfect, the nerve unbraced, the hand too unsteady, in the difficult and delicate operations which a surgeon was called upon to perform. No man of the age of sixty or sixty-two could be expected to retain these faculties unimpaired; and as the great bulk of medical officers enter the army at the age of twenty-four, thirty-two years' service would bring them near to that stage in human existence, beyond which it would be vain and unreasonable to expect that a medical officer of thirty or thirty-five years' service in all climates should retain his efficiency. Officers so circumstanced are aware of this sad truth, but continue to serve, knowing that the half-pay to which they are entitled is insufficient for their wants; that, from bodily infirmities and deficiency of mental energy, they cannot add to their income by private practice, being unequal to compete successfully with younger and more recently educated practitioners, and therefore cling to the service. It is for the interests of the service, then, that men so circumstanced should cede their avocations to younger individuals; but this they can only be tempted to do, or are justified in doing, by our increasing their rates of retirement. The medical officer, while on full-pay, has no cause for complaint—this is sufficient to attach him to the service, but binds him too long, from the rates of retirement being so inadequate. The hon. and gallant Member then cited, from official returns, the cases of many deputy inspectors general of hospitals, and surgeons, who had been from thirty-six to forty-three years in the service.* Thus he had shown that, whilst medical officers had no means of realising, by sale of their commission, the expense of their education, and did not enjoy the advantages of an improved retirement, as granted to veterinary surgeons and quartermasters, he had now, alas! to show, that the widows of medical officers were not so well provided for by pension as the widows of officers of relative rank. The surgeon of a regiment ranks with captain; a staff-surgeon of the first class with major; the deputy-inspector with lieutenant-colonel; the inspector-general of hospitals with a general officer. But the widow of an inspector-general killed in action only gets 80*l.* a year, whilst the widow of a general officer of the lowest rank, viz., brigadier-general, gets 90*l.* The deputy-inspector's widow gets only 60*l.*; but the widow of a lieutenant-colonel 80*l.* The staff-surgeon's widow gets 20*l.* less than the widow of a major; and there is a difference of 5*l.* to the disfavour of the surgeon's relict compared with the widow of a captain. The House will be sensible that, though these differences be of small amount, they are of vast importance to widows and orphans left to such slender provision. The hon. and gallant Member read a letter from the widow of an officer who had served throughout the Peninsular war, and had afterwards died at Jamaica, in which she stated that she had only 45*l.* per annum pension; but she complained most that she did not receive the pension to which she was entitled, as her husband had held the relative rank of major.

> "My late husband, staff-surgeon Burmester, served for twenty-four years on constant active service—the whole of the Peninsular campaign, the battle of Waterloo, and was with the Army of Occupation in France. He was then sent to Jamaica, where, in discharge of his duty, I had the

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* See Table (as note) following column.

* INSPECTORS GENERAL OF HOSPITALS.

Names.	Services.	Total yrs. Serv.
Mahony	Peninsula	39
Franklin	Peninsula.	39
Halket	Walcharen, Canada.	36
Short	Peninsula.	42
STAFF SURGEON, 1st Class.		
Stewart	Peninsula.	39
Monroe		59
Grant	Peninsula.	43
Pickering		37
Roe	Peninsula.	38
White		41
McLean	Peninsula.	38
Melvin		37

Names.	Regiments.	Entered Asst. Surgeon.	Surgeon.	Services.	Total yrs. Serv.
Lewis	1 Dragn. Gds.	1111	1830	Peninsula, from 1811 to end.	36
Stephenson	3 Dragn. Gds.	1807	1813	Peninsula, 1809 to end.	39
Flanagan	4 Dragn. Gds.	1806	1813	Canada Peninsula	40
Barlow	5 Dragn. Gds.	1803	1813	Copenhagen Martinique Low Coun.	43
Heriot	6 Dragn. Gds.	1804	1812	Peninsula, 1809 to end.	42
Bartley	1 Dragoons	1810	1826	Peninsula	36
Winterscale	2nd Dragoons	1809	1828	Walcharen Peninsula Waterloo	36
Graham	4th Lt. Drags.	1809	1825	Peninsula, from Jan. 1816 to end. Was on bd. the Kent when burnt.	36
Mouat	15 Lt. Drags.	1812	1827	Burmese	34
Henderson	5th Fusileers	1811	1826	Peninsula	35
Leonard	11 Regt.	1811	1833	Peninsula	35
Mostyn	27 Regt.	1810	1825	Peninsula Waterloo	36
Richardson	2nd West Ind.	1805	1826	Cape G. Hope Monte Video Peninsula	42
Piper	Prov. Batt. Chatham	1806	1823	East Indies China Pindarree War.	41

> misfortune to lose him, and I was left with three little children.
>
> "Hitherto I have received the small pension of 45*l.* per annum, and what I complain of as a sad grievance is, that I do not receive the pension I am entitled to, as my husband held the relative rank of a major."

He observed that he could read volumes of similar documents, but he would not weary the House with any more details. Having explained the ordinary duties of medical officers, he would now beg to say a few words which he hoped would take these officers as a class out of the category of civil functionaries and non-combatants. The medical officer cannot be considered a non-combatant in the sense of personal exposure, nor in many cases, as he could tell, of personal military gallantry. The medical officer is suddenly called upon to discharge duties which require the vigour and powers of endurance of less advanced age; to partake of the fatigue, privations, and diseases incidental to actual service; to brave every climate, to witness death in every form; and to suffer it himself in the field, when administering to those whose lives he is endeavouring to preserve. Two surgeons of Her Majesty's regiments were killed on the field of battle in the operations of the Sutlej; three at Cabul. How many of the Honourable Company's service he knew not. He requested the House to let him endeavour to depict the duties of medical officers on the field of battle. The action is about to commence. The medical officers attached to the troops take post in the immediate rear of their respective corps, and then prepare the implements of their mournful and painful calling. The battle begins; the active combatants, unmindful and regardless of danger, buoyed above the terror of death or of wounds by ardour and excitement, which few can imagine, heed not the casualties that happen around them. Not so the medical officer. The fallen and the disabled that are not beyond the reach of his skill, become the subjects of his immediate care. The fiercer the fight, the more numerous these sad consignments. There, on the naked field, exposed to personal risk, and within reach of the bullets, which may have previously ploughed the ranks of the columns, or lines in his front, the medical officers, with unflinching eye, steady hand, and well-braced nerves, discharge their melancholy functions, and frequently lose their lives in endeavouring to save others. Is the battle won? The troops move forward with exultation to reap the fruits of their victory. The medical officers remain on the blood-stained field, amidst the havoc of war, to collect the mutilated victims, and administer to the sacrifices that victory exacts. Is the battle lost? or is the field, though won, abandoned, as ofttimes happens? The medical officers perform their still more painful duties on the forsaken field, and become themselves captives, in common with those who, by their aid, may survive. Then there was the assault of the fortress, and the storming of the breach, at which medical officers are invariably aiding. And this is the class—such the persons, from whom you withhold advantages enjoyed by the practitioners of a less exalted surgery. The horse is a noble animal; the veterinary science is an important and useful profession; but man is a nobler animal still, and a soldier, apart from other considerations of humanity, a more important and valuable agent. He appealed, then, in the strongest terms, to the feelings and generosity of Her Majesty's Government, to the House, and to the country, against the exclusion of the class of officers whose case he had taken up, from advantages which are extended to others—from a boon which all public servants, civil and military, now enjoy. The hon. and gallant Member stated that he would not enter further into detail, but leave the case to the consideration of the House and the Government; and he hoped he had not appealed in vain to the noble Lord at the head of the Government, and would be consoled by the reflection that he had done his best in behalf of these officers.

MR. FOX MAULE said, he had really but a very few words to offer in reply to what his hon. and gallant Friend had urged on behalf of those most meritorious officers. The hon. and gallant Gentleman complained that certain understandings that were come to in 1845 had not been fully carried into effect. Of one thing, however, he (Mr. Fox Maule) was quite certain, that his predecessor endeavoured in the Warrant of 1846, to extend the benefits of the retiring allowance to as great a number of officers as possible; and since he had the honour of coming to the office, he confessed that he looked with considerable diffidence to any proposition for altering a warrant settled so late as 1846. He was, he admitted, unwilling, without very good and strong grounds, to disturb the arrangement then made. With regard to the paymasters, the hon. and gallant Officer stated, as he before admitted in 1845, that he had no fault whatever to find with the full pay of that class of officers. His hon. and gallant Friend would, he thought, find that he might as well object to the full pay of any class of officers in the Army, as there was, he considered, no class of men in the British Army who were proportionably better paid. The paymaster was an officer who had, perhaps, as little to do as any officer in it. The duties of the office unquestionably required considerable and very exact attention; but, at the same time, it was scarcely fair, in arranging their retired allowance, to put the paymaster altogether on the footing of those who were called upon to risk life and limb in the service. He found that, on looking at the provisions which were made for the paymasters previous to last year, the half-pay retirement for those officers was only 12*s.* 6*d.*, so that in the Warrant of 1846 the paymaster received a certain benefit—namely, that his half-pay after a service of thirty years, of which twenty-five should be as paymaster, was increased from 12*s.* 6*d.* to 15*s.* a day. But there was another consideration also which the hon. and gallant Officer overlooked, and that was, that officers who had served for a considerable number of years before they became paymasters, were permitted for every five years of that service to count two years in their service as paymasters; for ten years they could count five years, and for fifteen years they could count ten years. They had thus a much more speedy access to the period of time when they would be entitled to the retiring allowance, than they were allowed previous to the Warrant of 1846. As to the surgeons, they had, to a certain extent, advantages which the paymaster had not. They were in a branch of the service in which, though promotion was slow, yet it was to a certain extent always running up, and the promotions had been by a recent arrangement expedited. The hon. and gallant Officer had stated that by not giving better retiring pay, officers were induced to cling to the Army longer than they would under other circumstances. It was possible that cases of this description might exist; but, on the other hand, if retiring pensions of a higher class were held out, a longer period of service would be required, so that the effect would remain the same. These officers would cling to the service for the sake of the higher pension, and therefore he did not think that the object of the hon. and gallant Officer would be gained by adopting the course he pointed out. It was extremely unpleasant to discuss matters of this sort; and his own opinion was, that the less the House interfered with them the better. He assured the hon. and gallant Officer it was the wish of the Government to put every matter connected with the Army upon the best possible footing; for during the present year they had given up, for the benefit of the soldier, 50,000*l.* from the retiring allowances to pensioners, and they had expended 20,000*l.* upon a brevet of which officers would have the advantage. A sum, therefore, of 70,000*l.* had been placed at the disposal of the Army by the present Government during this year. The hon. and gallant Officer limited the expenditure which would be caused by adopting his suggestions to 1,300*l.* a year. He (Mr. F. Maule) was not aware whether this estimate would be equal to the actual cost; but it must be considered not so much in reference to individual cases, as to the exigencies of the public service. At the same time, so far from putting an extinguisher upon the question, he would state generally that, in considering the arrangements which ought to be made for the various branches of the service, the claims of paymasters, medical officers, and surgeons, and of all other officers, would not be neglected by Her Majesty's Government, if those claims should appear to be founded in justice.

Mr. HUME said, the House ought to know the grounds of the application, considering the enormous claims upon the public purse and the present circumstances of the country.

Colonel LINDSAY concurred with the right hon. Gentleman the Secretary at War that both the late and the present Government had done all that it was possible for them to do in improving the Army; but he thought the hon. and gallant Officer had made out a strong case in favour of surgeons, and his principal reason for thinking so was, that considerable difference existed in point of age between surgeons and paymasters with respect to their retiring allowance. The paymaster was generally a captain or lieutenant, who probably had entered the service at eighteen, or perhaps sixteen years of age, whilst the surgeon did not enter the service until he was twenty-three. The consequence was that there was a difference of five, or it might be of seven years, in their age when they became entitled to their respective pensions. Again, whilst other officers, when engaged in foreign service, might return home, the surgeon could not, but was obliged to remain with the regiment. Another circumstance to which the right hon. Gentleman alluded, was the promotion to which surgeons might look forward; but when they found that there were eleven surgeons who had been in the service between thirty and thirty-five years, and twelve between thirty-five and forty, they would see that promotion was not available in all cases. He hoped that the Government would take this matter into their serious consideration, and do justice to the parties whose case had that evening been brought under their consideration. If the matter now before them went to a division, he should certainly support the Motion of his hon. and gallant Friend near him.

SIR DE LACY EVANS considered the present a peculiarly opportune time to bring a subject of this nature under the consideration of the House: first, because of the character of the policy of a neighbouring country; and, next, because there was a disposition both in the House and in the country to contribute to the improvement, the efficiency, and comfort of the Army. On former occasions hon. Friends of his had thrown out what might be considered taunts of a wasteful expenditure upon the Army; comparisons had also been made between the army estimates of this country and those of foreign Powers. He denied that the expenditure upon the Army was open to the charge of waste; and it was a mistake to suppose that the British Army was more expensive than the French. The French Army cost more than the British Army, although the duties required from it were not so severe. The Army, too, was said to be an unproductive class. On this subject he referred his hon. Friends who made this objection to their great master in political economy, Mr. M'Culloch, who said, on account of the protection afforded by the Army, it ought to be classed among those classes who were supereminently productive.

Question put, that the House resolve itself into a Committee of Supply.

SIR DE LACY EVANS then brought under the consideration of the House the subjects of which he had given notice. The first was—

> "The Treasury regulation respecting ration stoppages in the Colonies, whereby the Government derives a profit at the expense of the soldier by the variation in the price of provisions in several of those colonies, contrary to the treatment of the troops stationed in the home territories."

The hon. and gallant Member said that in some colonies provisions were very cheap, in others very dear. The Treasury had thought proper to require that in one half the soldier should pay a profit upon them to the Government as an indemnity for the expense they were at in providing for the other half. It was, however, very difficult to persuade the soldier who was serving in Australia, who knew that the contract and market price for rations was *2d.* or *3d.* less than he was charged, that he ought to pay that extra price in one colony, because rations were dear in others. The thing was quite out of the question. Eight or nine months had now elapsed since he before attempted to bring this subject under the consideration of the House; and he was then deterred from proceeding with his determination by a promise that justice should be done. Notwithstanding that promise, however, he had been unable to ascertain that any measure of justice—that any measure whatever, had been introduced upon the subject. He trusted the Secretary at War would inform him that he was in error upon that point, and that measures had been taken to correct the existing anomaly. He now came to his second point, which was, whether the Treasury order or arrangement respecting the liquor rations in Australia, had been of a decisive and general nature, applicable to other colonies, and sufficient, in the judgment of the Commander-in-Chief, to prevent any future probable recurrence of mutiny from that cause? It seemed that some time ago the soldier in Australia received an allowance of rum to the value of *1d.* per day. It pleased the Governor of the colony, however, to place an import tax upon rum, and the consequence was that rum rose in the market. That being so, the prudent and more temperate of the soldiers sold their rum in the market, and purchased other beverages of a lower price; but the Colonial Government ascertaining that fact, immediately stopped the issue of rum, and issued in its place the penny per day, to which, no doubt, originally the soldier was only entitled. That stoppage induced the soldiers to suppose that an injury had been put upon them. The regiment, in consequence, mutinied, and two other regiments had to be sent out to ensure their return to their allegiance. He next came to the third point, which related to the propriety of amending the 72nd Clause of the Mutiny Act, containing a special provision for the "wholesome" maintenance of troops on a line of march in England, no similar or proportionate allowance being made for troops on the same duty in Ireland or Scotland. That 72nd Clause of the Mutiny Act very carefully provided for troops on a line of march in England; but it contained no such provision for troops performing the same duty in Scotland and Ireland. It appeared that in England, soldiers on a line of march were provided each day with a hot meal of meat and vegetables, with bread and beer, for which the persons provided received 10*d.* per man. In Ireland all that the soldier on march received was 1*d.* a day more marching money than the English solider; and in Scotland he had 2*d.* a day more marching money than in England; but either 1*d.* or 2*d.* appeared to be a very bad equivalent for a good 10*d.* dinner. This disparity showed a very great anomaly, and proved that the troops nearest home were always the best cared for. His fourth point had reference to the case of the former pensioners of the Army, whose petitions had been lately presented to the House, complaining of having suffered great misery and distress during many years, owing to their having agreed to an inadequate commutation of their pensions offered by a warrant issued from the War Office in 1832, which they were, unfortunately, induced to accept, through delusive promises emanating from authority—the warrant respecting which having been cancelled in the following year. This part of his case came with peculiar force before the House, he having himself presented petitions from nine persons who had been unfortunately induced to accept a commutation of their pensions. He regarded the case as a very cruel one; and he was sure his right hon. Friend could not have considered it, or he would have taken some means to meet it. In 1831, an Act was passed offering the immediate payment of four years' pension, with an opportunity of settling in some rich and fertile colony, to such pensioners as chose to resign their life-interest in their pension, and accept that commutation. The soldiers of course thought that the Government could be actuated by none but the justest and most honourable intentions towards them, and thousands of them accepted the offer. He would now beg leave to read from Lord Durham's report an extract which he ventured to think would place this subject in a clear and satisfactory light. It was this:—

> "The most striking example, however, of the want of system and precaution on the part of Government is that of the old soldiers, termed commuted pensioners, of whom nearly 3,000 reached the colonies in the years 1832 and 1833. A full description of the fate of those unfortunate people will be found in the evidence of Mr. Davidson and others. Many of them landed in Quebec before the instructions had been received in the colony to pay them the sums to which they were to be entitled on their arrival, and even before the Provincial Government knew of their departure from England. Many of them spent the amount of their commutation money in debauchery, or were robbed of it when intoxicated. Many never attempted to settle upon the land awarded to them; and, of those who made the attempt, several were unable to discover whereabouts in the wilderness their grants were situated. Many of them sold their right to the land for a mere trifle, and were left, within a few weeks of their arrival, in a state of absolute want. Of the whole number who landed in the colony, probably not one in three attempted to establish themselves on their grants, and not one in six remain settled there at the present time. The remainder generally lingered in the vicinity of the principal towns, where they contrived to pick up a subsistence by begging and occasional labour. Great numbers perished miserably in the two years of cholera, or from diseases engendered by exposure and privations, and aggravated by their dissolute habits. The majority of them have at length disappeared. The situation of those who survive calls loudly for some measure of immediate relief. It is one of extreme destitution and suffering."

In the following year the Government abolished that system; and the measure adopted as a remedy was to restore their pensions to those men who had returned from the colonies, deducting the four years' pension which they had already received. Now, that might appear an equitable arrangement; but, considering that those unfortunate persons were in some degree the victims of fraud and deception (unintentional fraud, he admitted), he thought that the bargain was too strict. The men who had returned were scattered about, and the probability was that the majority of them knew nothing about the arrangement. What measures the Government had taken to give publicity to their intention of restoring the pensions, he did not know; but he had reason to believe that they were not adequate to the purpose. When warrants of that description were put forward, the utmost publicity ought to be given to them. He contended that those men were not only entitled to the restoration of their pensions, according to the arrangement of 1833, but that they were also entitled most unquestionably to the whole of their arrears. His right hon. Friend did not seem anxious to grant those arrears; but he (Sir De Lacy Evans) asserted that, morally speaking, there was no doubt that each of them was entitled to his ten or twelve years of arrears, which would amount to something like 200*l.* Unless this matter were attended to, he should continue to bring it before the House upon every opportunity. His fifth point related to the state of the barracks. It referred particularly to the omission again, in this year's estimates, of any vote being proposed for improving the barrack accommodation (especially with regard to the sleeping rooms), so requisite, in many instances, for the health of the troops, and for more suitable and decent quartering of the married non-commissioned officers and privates. He was sure the Government was anxious to contribute to the comfort and well-being of the soldier; but how could they do that unless they inquired into the state of the dwellings, for the dwelling of every human being formed one of the most essential ingredients in his comfort? Not one farthing had been voted this year for the improvement of the barracks, 370 in number, except 5,000*l.* for washing-houses, and 5,000*l.* for prison-cells. Now, what was the state of the barracks throughout and adjoining the metropolis? The barrack-rooms were about 32 or 33 feet long, by 20 feet broad and 12 feet high. In one room twenty men, including one or two non-commissioned officers, and some of them, perhaps, married, ate, drank, slept, and did everything except their exercises. He asserted, without the fear of contradiction, that the Government increased their pension list more by their neglect of the health of the troops in barracks, than the expenditure necessary for their improvement would amount to. In addition to the inconvenience and unhealthiness, he regretted to say that the barrack-room was often the scene of great immorality and indecency. There was not the smallest provision for married men, who, with their wives, were obliged to sleep in the same room with nineteen other men. The women, indeed, were frequently confined in that room. There was only a space of nine inches between the bottom of the bed and the table on which they dined. The space between the beds was only five inches; but to enable the men to get in and out more readily, two beds were placed together, so that they thus got a space of ten inches. The soldier had no means of reading. They might talk of establishing libraries; but how was a man to read in a room where there were nineteen others talking, or amusing themselves in a more boisterous manner? Though he could not say one word against the present Chancellor of the Exchequer, he concluded that the present state of the barracks resulted from the niggardliness of Chancellors of the Exchequer in general, and was not to be attributed to the indifference of the high military authorities. He regarded this as a most serious matter, a most crying evil; and he entreated the noble Lord to cause a general inspection to be made of the barracks throughout the kingdom. It must be quite evident from what he stated, how desirable it was to provide apartments for meals separate from those in which the men slept, and also to provide separate apartments for the sergeants and the married soldiers. Such additional accommodation would be a great benefit to the men, and he hoped to see a supplemental estimate brought in for the purpose of carrying it into effect. He now came to the sixth subject to which he wished to direct the attention of the House, namely, to "the claim of old Peninsular officers, who have sold their commissions, to the medal to be granted for that war." It had been stated to some of those officers that they were not to receive the medal granted for services during the Peninsular war; and he was desirous to ascertain whether there was any foundation for such a report? He should be very glad to hear that the report was incorrect, and that such officers, notwithstanding their having sold their commissions, would obtain the medal. The expense of the medals to be given to Peninsular officers who had sold their commissions would not be a matter of the slightest consideration to the Government or the country, whilst they would be looked upon as a most important consideration by those officers; and it ought to be recollected that they were as clearly entitled to them as they were to arrears of pay. He hoped, therefore, that the report to the effect that the Peninsular officers who had sold their commissions were not to receive medals, would be found from the statement of the proper authority to be incorrect. The next point to which he felt it his duty to advert, was "the claim of the retired officers of the line (cavalry and infantry) who, worn out by wounds or broken health, occasioned by service with their regiments or on the staff, have reluctantly accepted the retired pay offered by the Warrant of October, 1840; but who, though by seniority sufficiently eligible, find themselves excluded from the last brevet, which, in their case, would have cost the country nothing, although they see this favour extended to their brother officers similarly situated on the retired lists of all the four other branches of the service: namely, the marines, artillery, engineers, and the Navy." He was of opinion that the Government had treated those officers invidiously and harshly in leaving them out, whilst the other branches of the service were not omitted. If an officer had lost a leg, or injured his constitution by military service, he might be prevailed on to accept that retirement, and yet he was omitted in consequence on the occasion of the last brevet. He repeated that it was a harsh measure to deprive those officers of advantages which were extended to other officers; as a proof of which he would state that he held in his hand a list of thirty-five officers who were so excluded, although each of them had served more than forty years, and had received amongst the thirty-five officers fifty-five wounds, amongst which wounds was included the loss of limbs. He conceived that such a body of men were as deserving of enjoying the advantages of the brevet as any other, and he thought it was invidious to exclude them. He would not on that occasion go into the subject to which his eighth notice referred, namely, the selection for the responsible command of regiments, as it was too large a subject to treat properly and at sufficient length on that occasion without taking up too much of the time of the House; but he would remark, that in his opinion it would be impossible to defend the practice of delivering up the responsible charge of a regiment to an officer in consequence of purchase. Seniority was better than purchase, but even seniority ought not to be the paramount claim. The next subject to which he was desirous of directing attention, was the position which general officers of the engineers, artillery, and of the East India Company's army, at present occupied. Why was it that general officers of the engineers, artillery, and of the East India Company's army who may have distinguished themselves by their ability and conduct, should be deemed ineligible for appointments on the general staff, in whatever part of the world their services may be available? He believed it would not be denied that the general officers in the Ordnance department were some of the best-instructed portions of the Army; and he would ask if such men were to be considered ineligible for appointments on the general staff? During some of our late operations in India, our army was commanded by an artillery officer (General Pollock) with the greatest success; and yet that gallant officer, who was now, he believed, on his way home, would find on his arrival that he would not be recognised as a general officer. He hoped that the system which now prevailed would not be allowed to affect that gallant officer, and that the desirable objects of ambition should not be shut out from those deserving persons to whom his question referred. He was glad, however, to see the Government employing civilians of the East India Company's service in the service of the State. The cases of Lord Metcalfe and of Sir Henry Pottinger were striking and most successful instances of the advantage of this practice; and he hoped that, the example once set, it would be followed up. The hon. Member for Montrose thought it was useless to have a brevet at all, and said that our general officers were nearly all too old for active service; but he would ask the hon. Member how the brevet could make these general officers older? He should like to see the promotions of general officers by brevet regulated by selection instead of seniority. There were 305 British general officers in the infantry and cavalry, with ten major generals of the Company's service, who furnished the command in chief and the general staff of (including our British and Indian Army) about 400,000 men. The proportion of general officers in the French Army was much greater, 630 generals furnishing the staff to command an army of 342 000 men. While each general in the British service had the charge of 5,000 or 6,000 men, the French generals had not more than 2,000 under their command, with far less onerous duties. The expenditure on account of the staff in this country was 177,000*l*., while in France it amounted to less than 720,000*l*. The 305 British officers had also paid about 1,250,000*l*. for their commissions; but neither in France nor in any other country that he had ever heard of, except this, did the officers pay a farthing for their commissions. He had also to complain that there were regulations as to promotion which were kept secret in the War Office, and their ignorance of which was the cause of excluding many deserving officers from promotion. He understood that Colonel Peyronnet Thompson, an officer of long standing, and one of the most active and successful contributors to free trade, had been excluded from the operation of the brevet on this account. It appeared that unless a paper was found in the War Office declaring the readiness of an officer to serve, he was deprived of promotion. Now, it might happen that such a paper might be mislaid or overlooked; and he thought so improper a method of regulating promotions, by rules which many officers denied any knowledge of, should be altered. The practice of promoting general officers by seniority, who were entitled to receive the additional allowance of their rank, without any proof of meritorious conduct, or of their fitness to perform such highly responsible functions, was, he thought, objectionable; twenty-nine officers had been excluded from the operation of the Warrant of the 1st of May, nine of whom were Companions of the Bath, several had received wounds, and many were officers who had served during the whole of the last war. Some of those, on the other hand, who had been promoted by the warrant, were officers of the Guards, who had seen very little or notice. With regard to the last notice which he had given, and which referred to the state of education at the Military College at Sandhurst, he had had some conversation, the day after he had given the notice, with his hon. and gallant Friend the Member for Liverpool; and he found that his hon. and gallant Friend had already given notice of a Motion for an inquiry into the whole state of the professional education of the Army, with the view that no officers should in future be admitted into the Army without undergoing an examination. At present an officer underwent no examination whatever, though a recruit did. He should, therefore, leave the subject in the hands of his hon. and gallant Friend, who had not only been the Governor of Sandhurst College for several years, but was, perhaps, better qualified than any other officer in the whole Army to conduct such an inquiry; and he only hoped that his hon. and gallant Friend would proceed with it without much delay, as it would confer a great benefit on the Army. There was one point, however, on which he wished merely to touch, and that related to the education of the orphan children of non-commissioned officers. He thought that means ought to be furnished by the State for their education. He would observe also that there were 171 cadets at the College of Sandhurst at present; and in order to prevent the necessity of the Secretary at War coming to the House of Commons and asking for a vote of money, they had arranged matters so that almost the whole number were the sons of persons who were able to pay 125*l.* a year for the military education of their children. He understood that there were only about twenty of the class which paid 30*l.* or 40*l.* for their education. He recommended that increased attention should be paid to the state of our naval and military preparations. Before concluding, he begged to read the following extracts from Adam Smith's *Wealth of Nations*—the great original, and, he presumed, highest, of all authorities on political economy:—

> "The art of war," he says, as it is certainly the noblest of all arts, so, in the progress of improvement, it necessarily becomes one of the most complicated among them." "In modern times many different causes contribute to render the defence of society more expensive." But, "it is only by means of a standing Army that the civilization of any country can be perpetuated or preserved for a considerable time." "States (however) have not always had that wisdom" (that of due attention to military preparation), "even when their circumstances had been such that the preservation of their existence required that they should have it." "That wealth which always follows improvements in agriculture and manufactures, and which, in reality, is no more than the accumulated produce of those improvements, provokes the invasion of all their neighbours." "An industrious, and upon that account a wealthy nation, is of all nations the most likely to be attacked; and, unless the State takes some new measures for the public defence, the natural habits of the people render them altogether incapable of defending themselves." "When a civilized nation depends for its defence upon a militia, it is at all times exposed to be conquered by any barbarous nation which happens to be in its neighbourhood."

He thought those observations not inapplicable at the present time, considering the great alteration likely to be effected in warfare by the means of steam. By the agency of that power, the heaviest batteries could be moved from point to point, and troops could be transported with rapidity. The circumstance was favourable to a neighbouring country, which possessed a larger army than we did; and, under these circumstances, he hoped that the Government had addressed their serious attention to the state of our national defences. Considering the character of the policy of a neighbouring country, his own conviction was that adequate measures were not taken in preparation against some unfortunate catastrophe that might occur.

Mr. FOX MAULE said, if he were to attempt to give a detailed answer to all the subjects which his hon. and gallant Friend had brought under the notice of the House, he should be obliged to trespass on more of their time than they would under any circumstances be willing to afford, for the hon. and gallant Gentleman had touched upon almost every topic connected with the Army. He must say that his gallant Friend's speech was delivered in a friendly spirit to the Government, and with perfect moderation; but he must say, that in making these observations, he thought the hon. and gallant Officer had gone a step too far, for he had found fault with much that existed in the present state of things, without suggesting in what manner the alterations he asked for were to be made, or how he would act were he placed in the same situation in the Government as he (Mr. Fox Maule) filled. His hon. and gallant Friend said he brought forward these matters on the present occasion because he saw a greater disposition to amend the condition of the soldier now than at any former time. If that were so, he would caution the hon. Gentleman not to ride a willing horse, he would not say to death, but until he could go no further. His hon. Friend should recollect that, however desirable it might be to carry out the views which he suggested, the Government must look to other matters as well as to the improvement of the Army. They must first see what the state of the finances was, and consider the claims which the other branches of the service had upon these finances. Every disposition had been shown by his right hon. Friend the Chancellor of the Exchequer to make these improvements so far as was compatible with the state of the public Treasury; and the Government had a perfect disposition to increase the comforts of the soldier, and to make those improvements suggested in his condition, when they could undertake them. The first question which the hon. and gallant Gentleman had introduced, was the soldiers' rations. It was true for some time back a different system prevailed in some of the colonies respecting the soldiers' rations to that which prevailed at home. It was quite true, as the gallant Officer stated, that in some portions of our colonial empire we were enabled to maintain our troops at a smaller expense than in others. It was deemed necessary, after trying many other schemes—after allowing the regiments to make contracts for themselves—to take a medium from calculations made throughout the colonies as to the expense of rations, and to fix that medium or average as the sum to be allowed for the ration of the soldier, the public making good the deficiency in those colonies where the price of provisions exceeded in proportion the stoppage from the soldiers' wages. He would but say he was convinced that this was in all cases a fair and just arrangement, for the soldier was much injured who served but once or twice in colonies where the provisions were dearer, and spent the greater portion of his service in countries where the stoppage from his pay exceeded the price at which provisions could be bought. This matter had been brought under the notice of the Chancellor of the Exchequer last year, and had been under the serious consideration of the Government; but when the House reflected upon the many and important calls upon the attention of his right hon. Friend, and, above all, the numerous demands upon the Treasury, it would not, he was sure, feel surprised that this question had not been yet completely settled. The Government, he would repeat, had every disposition to deal with the question; but it was an extremely difficult one to be dealt with, and required the most minute and careful examination. With reference to the spirit rations, he was happy to say that, in all the colonies, the spirit rations had been done away with, except in Australia and in New Zealand. Neither from Canada nor the West Indies, nor from any of the other colonies in which the change had come into operation, the commutation of the spirit ration into one penny per diem, had there been the smallest dissatisfaction expressed; on the other hand, it seemed to have given pleasure to the soldier, and to have been productive of beneficial results. With reference to Australia and New Zealand, his hon. and gallant Friend had alluded to a circumstance which he thought might as well have been omitted, and that it had been quite as well if concealed from the public. If there had been a slight departure from order, the regiment in which it occurred soon returned to that state of strict discipline for which the British Army had been always remarkable. At the close of last Session, intelligence had reached the Government of what had taken place in Australia, and the Chancellor of the Exchequer at once entered into a correspondence with the authorities there; but owing to the distance, that correspondence had not yet been brought to a close. The disturbance occurred in consequence of the practice being altered with respect to the spirit rations; but as soon as an arrangement could be concluded with the authorities there, the cause of complaint on the part of the soldiery would no longer exist. The military authorities were themselves to blame for what had occurred. They did not give an equivalent for the ration of rum which was withdrawn. The soldiers there had been at liberty to sell their ration of rum, which ration they obtained duty free; and owing to the price of rum there, they made 3½*d.* by that which was all at once commuted to one penny. In future, he trusted the soldiers in Australia would be placed in the same favourable position as elsewhere. The next point to which his hon. Friend had adverted, was that of pensions. A petition had been presented, signed by nine individuals, who described themselves as pensioners, in which they complained of hardships which they had suffered in consequence of the commutation of their pensions. His hon. and gallant Friend described this as a fraudulent transaction on the part of the Government; but he thought "fraudulent" too harsh an epithet, and undeserved. It certainly was an unfortunate transaction; but that was the most that could be said of it. [Sir DE L. EVANS was quite sure that the Government had not an intention to defraud; but fraud was the result.] The circumstances were these: In 1830, an Act had been passed enabling the Government to commute pensions to four years' purchase. In 1831, 1832, and 1833, some of the pensions of the old soldiers were in this way commuted, the pensioners voluntarily accepting of these commutations, and agreeing to go to the colonies, there to receive tracts of land of a certain amount, which they would be enabled to clear, and to settle their families upon. It was, as he said, an unfortunate arrangement, for it was adopted in 1832 in a very loose manner, so much so, that when the old soldier whose pension had been commuted, arrived in the colonies, no information had been received by the authorities of the commutation of the pension, nor instructions to give them any assistance, owing to the roundabout way in which the mail was carried from Halifax to Quebec in those days; and the consequence was, that some of those poor men were driven to the greatest destitution. Some of them died of cholera, others fell into great want, and lived in huts near Toronto, until at last the officer in command of the province was obliged to remove them to a military settlement near Lake Huron, where they were supported until the orders of the Government arrived. Lord Durham remonstrated upon their treatment, and in consequence of it the Government of that period remitted those poor men 4½*d.* a day of the pensions they had commuted, and some of them were still living comfortably in Canada. He could not conceive how it was that the nine individuals to which his hon. and gallant Friend had alluded, were not included in the grant, for it was extended to Nova Scotia, New Brunswick, and even to New Zealand. All those pensioners who had then emigrated, and had commuted their pensions, were now in receipt of 4½*d.* per day; although their pensions originally was only 5*d.* a-day. As far as he could collect information, one of the men to whom the hon. and gallant Officer had alluded, had returned from Canada after remaining there a year and a half; and the other, John Kelly, who had gone to New Zealand, had entered the Royal Navy. Of the other seven he could get no information at present. It would be a lesson to the Government how they should deal with the emigration of military settlers. Old soldiers must be guarded against the consequences of their own rashness and intemperance. A small military colony was at this moment on its way to New Zealand, but under very different circumstances from those which existed in 1832, and under a very different system. The old soldiers (of which it was wholly comprised) went, retaining their full pensions, and under the conduct and superintendence of experienced officers; and it was expected that they would become not only good settlers, but that they would provide a defence for the colony to which they were going for a number of years. He thought such a system must be successful, and that it might be carried to a considerable extent without the smallest risk. It was and would be wholly conducted upon a voluntary principle—there would be perfect freedom on both sides—the Government to give, or the pensioner to accept. The next question upon which he would touch, was the confinement of the barracks for the soldier. He was quite ready to admit that, considering the progress of civilization, there was much fault to be found with the crowded manner in which the soldiers were kept in some of the barracks. But in many of them there was ample accommodation. The fact of the matter was, they were arriving at a new time, when it was expected that the progress of improvement must not be stayed in any quarter; but half the soldiers in the Army, he was of opinion, had no idea of better accommodation, and were perfectly satisfied to mess and to sleep in the same room. However, these matters would be looked to as speedily as the state of the finances would permit. There were two points on which he wished to remark before he quitted this part of the subject. The first was the very large sum of money which would be necessary to give the amount of barrack accommodation which the hon. and gallant Officer required. The second, that it was not at all times possible, and, if possible, perhaps not quite desirable, to give ample barrack accommodation. For instance, it was sometimes desirable, in a garrison in a town to put the largest number of soldiers in the smallest space; and again, if men were accustomed to all the conveniences and comforts of extensive barracks, they would not without discontent subject themselves to more contracted and narrower abodes when circumstances might render it necessary that they should do so. The Government were, however, disposed to do all they could to provide reasonable accommodation in the barracks; and he saw no good reason why the canteen room might not be converted into a reading room, in which the soldier might profitably engage his leisure hours. With regard to other accommodations, such as having the mess-rooms apart from the sleeping rooms, and having better sleeping accommodation than at present existed, he thought these questions must be left very much to the financial state of the public resources, though he would remind the House, that, with a view to furnishing baths and washhouses for the soldiers, 5,000*l.* had been voted this year, in addition to 17,000*l.* voted in former years for that item alone. With regard to the position of the married soldier, he certainly agreed with his hon. and gallant Friend, that if they were to allow a certain number of married women to each company, for the purposes of washing, &c., then they were bound to see that these women were respectably and decently accommodated. But with reference to those soldiers who married without the consent of their commanding officers, however harsh it might aprear, yet he would be the last to encourage such marriages by affording them any accommodation, either in or out of barracks, which their conduct would not justify their commanding officer in taking upon his own discretion to grant. His hon. and gallant Friend next referred to the 72nd Clause of the Mutiny Act as to the billeting of soldiers. When his hon. and gallant Friend mentioned this subject last Session, he thought then, and he still thought, that it concerned the comfort of the soldiers. He had since made inquiries, and he found that complaints were made rather by civilians than soldiers with respect to billeting. It was a matter which seemed to require less pressing attention than several other topics touched on by his hon. and gallant Friend, for as the construction of railways proceeded, there would be less necessity for having recourse to billeting at all. It was only in Scotland and in Ireland that the system was now adopted to any extent, with a difference, he believed, in the cost between the two countries of 1*d.* a-day. In Scotland, at least, he did not see how the present system could be continued without being looked into; and yet it was hard to point out a remedy for any evils which might be found to exist under it. The billet law was unknown to the legal authorities in Scotland; they could only define it by saying it was the same as it existed before the Union, though what the law was at the period referred to, they did not take on themselves to lay down. He fully admitted that the allowance of 1*d.* for the "inhabitant," and 1*d.* for the use of culinary apparatus, were not sufficient to recompense the civilian for the trouble which he suffered from having soldiers billeted on him. He thought, that very much of the inconvenience of the present system might be alleviated by obliging all the soldiers billeted on a town to go into one house; and he believed that the civil authorities at present found it in general absolutely necessary, for the convenience of the inhabitants, as well as the safety of the soldiers, that one building should be placed at the disposal of the soldiers—any additional expense thereby incurred over and above the billet money being taken out of the marching money of the troops. With respect to the seventh resolution, which related to the exclusion of officers who accepted the retired pay offered by the Warrant of 1840, from the advantages of the last brevet, he must say he had not heard on the part of the officers themselves any such complaint as that which his hon. and gallant Friend had urged. These officers were cognizant, when they accepted their retirement, that it barred them from the promotions consequent on any subsequent brevet. So far from compulsion being used, such retirements on full pay were matters of the greatest favour; and he did not think that in future a single instance of such retirement would be permitted except under extraordinary circumstances. As to the sixth resolution, which put forward the claim of the old Peninsular officers who had sold their commissions, to the medal to be granted for that war, he did not believe there existed any intention of withholding medals in such a case. The eighth resolution of his hon. and gallant Friend struck at the very root of the system under which the British Army had so long flourished. And he must say, until he saw the probability of adopting another plan of promotion and reward which would work with more efficiency, he was not prepared to sap and destroy the system which now existed. He should like to see that system fairly, and honourably, and correctly worked; but he, for one, could not see any better principle than that on which it was established. The ninth resolution asked why general officers of the engineers, artillery, and of the East India Company's army, should not be eligible for appointments on the general staff, in whatever part of Her Majesty's dominions their services might be available? He believed it was well known that an officer of the Ordnance had command in Ireland for a considerable period during the absence of his senior; and it also happened to his certain knowledge, that in the garrison of Quebec, such officers as his hon. and gallant Friend alluded to, held the command when the Governor General happened to be away. As to the East India Company's officers not being placed on the general staff, it was obvious that those officers had a far better opportunity of reaping the reward of their services in the East Indies, than they could possibly obtain in this country. Moreover, if the army at home opened its list of rewards to the East India Company's officers, the same rule should be applicable to our officers serving in India, and should not be confined to general officers, but should be extended to the ranks below them. He now came to the tenth resolution, in the discussion of which his hon. Friend had observed severely on the system adopted in the late brevet. His hon. Friend said, that junior officers had been unfairly promoted, and that a sort of secret arrangement, of which many officers were ignorant, was entered into, by which those who were promoted, undertook, if necessary, to serve in their previous rank. Now this, so far from being a secret, was mentioned in naval and military commissions. His hon. Friend adverted to the case of Colonel Thompson. No one could regret more deeply than he did that so honourable and gallant a man should not be included in the list of those who were promoted; but he could assure his hon. Friend there was neither partiality, favour, nor affection in the matter. Not only Colonel Thompson, but the brother of his noble Friend who sat behind him (Lord J. Russell), was omitted from the list of promotions. The line was to be drawn somewhere; and he believed that the number excluded under the regulations adopted was so small as twenty-five or thirty. But his hon. and gallant Friend complained that amongst those major-generals who were promoted, there were several who were not able to obtain the allowance of 400*l.* a year. This was quite true. This was the most expensive part of the promotions which took place by brevet, and that to which the Chancellor of the Exchequer looked with a most searching eye before he gave his consent to the measure. He believed that at first twenty-nine were not included in the list of those who were to receive 400*l.* a year. His hon. Friend said that these officers were not included owing to some regulations of his (Mr. F. Maule's), and that he (Mr. F. Maule) afterwards consented to have their names placed on the list. Now, the fact was that all those who had indisputable claims to the allowance of 400*l.* were put in possession at once of their title to such an allowance; while the names not inserted in the list were of those on whose claims the department of the Commander-in-Chief, and that of the Secretary at War, were not prepared at once to decide. The moment the brevet took place, those who thought they had claims to promotion sent forward their cases. Of these, twenty-nine had shown themselves entitled to the rank which they claimed, on their own showing and on due investigation. There were seventeen or nineteen whose cases were doubtful, and of these he thought that in seven or eight cases promotion had been permitted; so that there remained at that moment not above nine or ten whose claims under Her Majesty's warrant were in abeyance. His hon. Friend said that the warrant was not sufficiently known. It was dated the 1st of May, 1846. He had come into office early in July in the same year. He found the warrant had been prepared by his right hon. predecessor; but no instructions had been given by him to promulgate it to the Army. He quite admitted that all warrants ought to be made as publicly known to the Army as any document laid before Parliament, for the Army was bound to observe and act upon them. The system as to unattached general officers, which was in force from 1814 to 1818, was found to have made a considerable inroad on the finances; and it went through various modifications until the year 1822, when a warrant was issued as to the pay of general officers, placing them on the footing on which they were at present; and provision was also made that in case of the further promotion of general officers unattached, they should be entitled to the pay of 400*l.*, but that no officers should receive this addition who had not been regimental lieutenant-colonels for a period of six years. In 1825, 1829, 1830, and 1835, there were modifications of the same principle; and in 1844 Sir Henry Hardinge issued a warrant, which it appeared was not promulgated, but which bore on the special cases to which his hon. Friend referred. The object was to extend the rule laid down as to regimental lieutenant-colonels of regiments for six years; and if his hon. and gallant Friend could show that the officers to whom he had referred were entitled on the ground of a similar length of service to the reward of 400*l.*, he was sure their cases would receive all due investigation from the Commander-in-Chief. If there were any line to be drawn or distinction to be observed, he thought that would be by far the most liberal; and it had so happened that out of eighty general officers who came under a recent promotion, there were eleven or twelve who could not show any title to come under the operation of the rule. The only other point on which the hon. and gallant Officer had touched, was the system of education in the Army. The present occasion certainly was not a good opportunity to consider that subject, nor in the present state of the House [*there were not more than twenty Members in attendance*] would it be advisable to enter upon it; but he might state that the attention of Her Majesty's Government had been already drawn to the question of the education of the officers of the Army. It would, indeed, be an act of stultification on the part of any Government to turn their efforts to improve the education of the subordinate ranks of the Army, and to leave that of the officers entirely neglected; because, if there were one way more effectual than another of securing to the officers the contempt of the men, it would be to make the latter feel that they knew more of their profession than those who commanded them. His noble Friend at the head of the Government and the Commander-in-Chief had been in communication on this subject; and he was quite sure no time would be lost by those high authorities in adopting some test of education, such as an examination of the officer when he joined the Army; and he (Mr. F. Maule) was not quite sure it would not be desirable to have some further test, in the form of another examination, when the officer came to be promoted to some higher rank. This was, however, an extremely complicated and very important question; and he hoped it would be enough for him to state that it was not lost sight of by Government, but that, on the contrary, it had been made matter of communication between the noble Lord the Member for London and the noble Duke at the head of the Army. The hon. and gallant Officer further remarked on the state of education among the children of our soldiers, and stated there should be some provision for the education of the sons of non-commissioned officers and privates; but he forgot that the Royal Military Asylum was entirely set apart for that object. Children of different classes were elegible for admission: first, the orphans of non-commissioned officers and men killed in action; secondly, the orphans of non-commissioned officers and privates; next, children who had lost their fathers; in fact, the institution was entirely appropriated to the offspring of those soldiers who had served their country in some capacity or other. In addition to it there was the Royal Hibernian School, at Dublin, open to the children of soldiers in a similar way; and there was no doubt but that that establishment, and the asylum, might be increased as far as the exigencies of the Army required, so as to meet all proper cases, and thus there would be an ample system of education provided for a very considerable number of children. The subject could not fall into better hands than those of the hon. and gallant Officer opposite (Sir H. Douglas). He knew the attention he had paid to the examinations at Sandhurst. He believed that institution might be made more available than it was; and he would not throw any obstacle in the way of the hon. and gallant Officer, if, after what had passed, he thought it right to raise a discussion on this subject. As to the last remark which had fallen from the hon. and gallant Officer (Sir De Lacy Evans), with respect to carrying on the military administration of this country, so as to give protection to its best interests, he was quite sure the mind of Government was fully turned to the necessity of improving our defences at home and abroad; and until it should be shown those interests had been neglected by them, he entreated the House to place that confidence in them which all the measures they had already adopted proved them to have merited.

Colonel LINDSAY agreed in much that had fallen from the hon. and gallant Officer as to the condition of the soldier. The wives of soldiers were said to be lodged in the barracks in London, but there was room only for those of the sergeants. The barrack-rooms were so crowded that it was impossible the men could be in such health as to prove efficient for the public service. Instead of 500 cubic feet, which was considered the proper space to be allowed for each man, he had found 351 in one instance, and 330 in another. He was told the soldiers felt that languor in the morning which was produced by breathing an impure atmosphere during the night. Married soldiers could nowhere obtain lodgings under 1*s.* 6*d.* a week; in most towns 2*s.* or 2*s.* 6*d.* was the charge, which they must pay out of the 4*s.* which remained after deducting the price of their rations. They were often, therefore, reduced to the greatest distress. He had known instances in which they had denied themselves meat, and lived upon bread and bad spirits, that they might save their wives from starving. They starved themselves rather than get into debt and be reported to their commanding officer. The limited enlistment would reduce the number of married men in the Army. It would be well, therefore, to make provision for the accommodation of a certain number of married men with their wives in barracks, free of expense. He thought advantage ought also to be taken of their position to induce the married men to devote a certain period of their weekly or monthly pay for the purpose of providing, in case of their deaths, that their widows should not become a burden on the parishes to which they belonged. There was also another circumstance which pressed with great hardship on the soldier, namely, that having such a limited amount of pay, although sufficient for the ordinary routine of life, the funeral expenses of his wife and children, if he happened to lose them —which expenses were equal in amount to those paid by civilians, being 1*l.* 12*s.* in case of a child, and 3*l.* in case of a wife —often threw him into debt for two years afterwards.

Mr. HUME rose to defend his conduct from some remarks that had been made upon it with respect to the brevet of last year. On that occasion he had made objections to the brevet, because it would increase the inefficient staff of general officers at a time when they had a general officer for every regiment, as an admiral for every ship. He was quite glad to find, therefore, that one-half of the hon. and gallant Member for Westminster's speech had been directed to show how injuriously this very brevet to which he (Mr. Hume) had objected, had operated on the interests of the Army. He had always objected to the expense of the staff, or the inefficient service of the Army, as it might be termed; but he had ever deprecated the manner in which the private soldier was paid; and the hon. and gallant Officer would find, thirty years ago, he had advocated an increase of pay to the men in the ranks. He was of the same opinion still, and he hoped it would be seen by the returns, which might be shortly expected, that attention had been paid to making the men comfortable in barracks. It was quite true, as stated by the hon. and gallant Member opposite (Colonel Lindsay), that soldiers, instead of being refreshed, often arose in a state of languor from bad air, and would take it as a favour to be allowed to sleep out of doors. If the useful career of a soldier were generally terminated with fifteen years' service, he believed there must be some cause for so brief a period of activity; and he thought much of it might be attributed to the manner in which the men were accommodated. The hon. and gallant Officer stated, that the expense of a general officer was less in the French than in the English Army. Why, the fact was, that our really effective service cost about 4,000,000*l.*, while our non-effective or inefficient army cost about 2,000,000*l.*, being 50 per cent of the whole expense of the efficient troops. By the late brevet, the inefficient staff kept up by patronage and mismanagement had received another increase. The period of service to entitle officers to be placed on the staff was quite disproportioned when compared with that in the French army; and he wished to place our officers on the same footing. In the French service, no officer could retire on quarter pay until he had served twenty years, nor half-pay till after twenty-four years; and they required a full service of thirty-three years before he could receive his full pay. In England, on the contrary, he had known men retire on half-pay after one day's service; and there were hundreds who had never done an actual day's service at all, and still were in receipt of their pay. Every one of the resolutions before the House should have been separately discussed. With respect to the general officers of the Company's army, he could only say he held them to have been most unfairly treated; and they had, in his opinion, no such thing as a full or fair proportion of their rewards of the service, as had been stated. The native army in India amounted to 332,684 men; the Europeans belonging to the Company's service being 11,115, making together 343,000 in the Company's service, besides 27,000 in the Queen's service. In Bengal there were five generals belonging to the Company's service, in Madras three, in Bombay two, in all ten; whilst the general officers in the Queen's service amounted to no less than nine—two in Bengal, two in Madras, and one in Bombay; besides four at other places, making one general officer to every 3,000 men. He disapproved of the excessive cost of the British staff; in France the staff did not bear the same large proportion of the military expenses as in this country, whilst the dead weight did not amount to more than one-fifth. With respect to military education, he hoped that Government would adopt a more extensive system than had been proposed. If the men were to be educated, whilst the education of the officers remained defective, the inevitable consequence would be, that the men would despise their superiors. He rejoiced that some steps were at length being taken to improve the military system of this country. In spite of the reflections which had been cast upon the public course he had felt it to be his duty to take, he had always admitted that we must keep up a larger proportion of military force than would otherwise be necessary, as we were in presence of foreign Powers which maintained such immense standing armies. If he had ever objected to portions of the expenditure on this head, it was because he thought the particular branch of expenditure useless or noxious, or the amount of it too large for the service on account of which it was to be incurred.

Mr. WILLIAMS thought the harmony prevailing amongst the military men in that House was most extraordinary, in respect to the alleged inadequacy of the rewards for all ranks of the service. He would only beg hon. Gentlemen to observe, that the amount devoted to half-pay and pensions in the British Army was as large as in the French Army, though the latter consisted of more than 400,000 men, and ours only of 130,000; he found that the amount to be voted on that head during the present year was to be 2,168,000*l.* Gentlemen might be aware that it was not at all uncommon in this country for persons to be promoted to the rank of general officers who had seen no more service than was to be seen in marching from St. James's to the Tower, carrying no weapon more formidable than an umbrella.

Subject at an end. No question was put on the gallant Officer's Resolutions.

SUPPLY—THE SLAVE TRADE.

Captain PECHELL referred to the statement made by the hon. Secretary for the Admiralty in bringing forward the Navy Estimates. He wished to hear some statement made with respect to the progress which had been made in the abolition of the Slave Trade At present we had thirty-four ships with 4,000 seamen on the coast of Africa, and yet no statement whatever had been made as to the distribution of the squadron, and the degree of success attained in the object for which those vessels were employed. We had more vessels on the coast of Africa than on the Brazilian, West Indian, or North American stations. On the West Indian station we had diminished the number of our cruisers so much, that only eight were left; on the Brazilian station, including the River Plate, we had only thirteen. When so large a squadron was maintained on the coast of Africa for a particular object, in co-operation, as they were told, with the ships of the United States and France, it did seem most extraordinary that not one word had been said, or one document ever produced, to give any information as to the manner in which this object was carried out. France had no treaties for the abolition of the Slave Trade with any foreign Power, except perhaps with Sweden or Russia: and the United States had none at all. He could not understand how British ships were acting with ships of those Powers against vessels of nations with whom we had treaties. How did we manage, in company with a ship of France or the United States, when chasing or capturing a vessel of Brazil, or Spain, or of any other Power with which we had a treaty? The hon. and gallant Member then complained that the prize money of the officers and men on the African station was absorbed by the enormous charges of Vice Admiralty courts; and he instanced the case of a vessel called the *Diana*, condemned at the Cape of Good Hope, having been captured by Her Majesty's ship *Mutine*. The proceeds of the sale were 539*l*., and the expenses of condemnation and sale were 273*l*., leaving for the captain and officers only 285*l*. Amongst the items charged was one of 60*l*. for breaking up the vessel, and there was a charge of 5*l*. 11*s*. for handing over the balance to the Admiralty. He hoped the Secretary for the Admiralty would note these facts.

Mr. WARD said, that no intimation had reached the Admiralty that any case of difficulty had arisen out of the operations of the three squadrons—British, French, and Americans, employed on the African station. No joint captures, he believed, had taken place. The squadrons were employed at different points, and each was guided in stopping slavers by treaties separately made with various Powers. With respect to the proceedings in the Admiralty Court relative to the condemnation and sale of prizes, not a single complaint had reached the Admiralty; and in confirmation of his declaration on that point, he would refer to his hon. and gallant Friend near him. If any case of hardship should be brought under the notice of the Admiralty Board, every pains would be taken to insure the officers and men employed on the African station—of whose conduct it was impossible to speak in terms of too warm commendation—to the fullest extent the reward to which they were eminently entitled for their exertions. The Admiralty had done everything possible to render the service on the African station lighter and less dangerous than it used to be. No ship could now remain on the station longer than two years; and the average period of service was eighteen months. Steamers, also, were constantly occupied in conveying to the squadron supplies calculated to promote the health of the crews, and to mitigate the severity of the service. Still further to protect the health of the crews, which had been found to suffer, particularly when vessels proceeded up the African rivers, Sir Charles Hotham had issued a stringent order to prohibit our men from being employed in that manner except in cases of extreme emergency.

House in Committee.

SUPPLY—NAVY ESTIMATES.

Mr. WARD moved that the sum of 42,270*l*. be granted to Her Majesty for wages to artificers, &c., employed in our establishments abroad.

Mr. WILLIAMS said, that from observing that the Navy Estimates increased year after year, he had been induced to look into them generally, and, by dividing the estimates for the last fourteen years into two parts, he found that they produced the most extraordinary results. For the first seven years the expenditure was 7,900,000*l*.; in the last seven years 14,900,000*l*., being a total in fourteen years of 22,800,000*l*. for wages and salaries in dockyards and naval stores. They had now, in line of battle-ships, frigates, and steamers, a Navy with which, if properly manned, no nation of the world could compete; the country ought to be satisfied as to the mode in which these vast sums were expended. He believed there had been a great waste of money in continuing to build ships on plans which were the subjects of much controversy among naval and scientific men; the estimates were increasing year after year; a new system altogether ought to be adopted. He thought the abolition of the College of Naval Architecture by the right hon. Baronet (Sir J. Graham) during his administration of the Admiralty a grave error. He had no hope, in making these observations, that he would be enabled to effect any reduction in the amount of the estimate under consideration, and he should not, therefore, oppose the vote.

Viscount INGESTRE would not attempt on this occasion to discuss those multifarious topics affecting the well-being of the service, which had been introduced and forced upon the notice of the House by hon. Gentlemen, in the course of the debates upon the various estimates which had been agreed to. He was not prepared to state any decided approval of the conduct pursued by those in authority in particular instances; but he could not deny himself the satisfaction of stating that, from what he had observed, he was convinced the present Board of Admiralty were seriously and steadily endeavouring to accomplish the primary object of their legislation—the amelioration of the condition of the seamen in the Royal Navy. So long as they pursued that course in the spirit in which they had commenced, they should have his best and heartiest support. He gave them every credit for the manner in which they had proceeded in the promotion in the dockyards; and he trusted that they would have the fortitude, apart from every political consideration, to adhere to those principles in this respect by which, hitherto, their patronage and the rewards it was in their power to bestow, had been directed. He thought that the strictures of the hon. Member for Coventry upon the mode adopted in the building of ships were in a great measure justified. As early as 1832 he had pointed out the impolicy of the appointment of a Surveyor of the Navy, as the party to be held responsible for such defects as might be found in the ships. He had shown that the education of that gentleman had not been of a sufficiently nautical scientific character to fit him for such a post; and, in reply to the remarks which he then made, the right hon. Baronet (Sir J. Graham), then in office, declared that it was too soon to pronounce an opinion before any result was before them, and that he (Sir J. Graham) would rest the appropriateness of such an appointment upon the future completeness of the ship *Vernon*, then in process of construction. He was quite willing to judge by that experiment. He would acknowledge that the *Vernon* was a good ship, and carried her guns well; but it had been proved that, in addition to many minor faults which might be detected in the vessel, the expense of building had been unnecessarily great. The Admiralty, it seemed to him, were not proceeding upon any defined plan. They had all sorts of models on the stocks; but it was yet unknown which experiment had failed, or which had been successful. A great mistake had been made in dispensing with the services of the students of the School of Architecture. They were instructed at the expense of this country, and had been led to suppose that, after the recommendation which had been made to the Admiralty, they would have been permitted to fill the superior class of appointments in the dockyards as they became vacant. They had, however, been very badly treated, and even persecuted; and he was glad to see that they had demonstrated the error which had been made when their knowledge and skill were rejected by the Government. He wished to know what was being done with that class of ships which were directed to be built after the model of the *Albion?* A letter, he believed, had been addressed to the Admiralty, stating that, in consequence of the excessive breadth of the *Albion*, she had failed, or, at any rate, had not answered those expectations which had been formed. It was desirable that the real state of the case should be understood; and that, if she had failed, the construction of those ships about to be built on the same model, should be stopped. He had not yet seen any improvement in the practice of the dockyard builders. They seemed to be altogether uncertain when they commenced how they should end. Her Majesty's yacht, the *Victoria and Albert*, was often referred to as reflecting great credit upon the dockyards; but, in fact, she was a failure, and it was only after trying all sorts of nostrums, that she had at last attained a hap-hazard success. The public were altogether ignorant of the exact results of the experiments which had been undertaken by the Admiralty in the construction of our war ships. He had never yet seen the report of Rear-Admiral Sir Hyde Parker, who commanded the first experimental squadron. Sir W. Symonds had made his report; but if his ships were good ships, it was very doubtful if greater praise could be accorded than consisted in saying they were not inferior to those with which they had been compared. He believed that if officers were to give the same report publicly, which they gave of their ships privately, the present state of things would not long be permitted to exist. He would now come to the question of the steam navy; and would first of all observe, that he should like to see the reports of the *Retribution* and the *Terrible*. Of the latter, it had been stated, on very good authority, that she was able to make good way in good weather, and had shown great capabilities in sailing when her steam was not required; but he should like to see the reports that had been made as to both these vessels. There was one point on which he here felt bound to make a remark or two, and that was, on the subject of naval construction. He would say, without fear of contradiction, that most of the steamers which had been built by the present Surveyor of the Navy, had not answered the purpose for which they were built; and he had no hesitation in saying, that there could be found numerous scientific men who were able to build better ships than those which now existed. The late Board of Admiralty, in 1844, appointed a Committee to judge of naval architecture, who had made an analysis, from which much good in the way of advancing the science was expected; and he should like to know if there were any objections to the production of the report of that Committee. The late Admiralty also appointed a Committee of Reference for testing and examining this most important question. At the beginning of the Session, he had asked the hon. Gentleman whether he would object to the production of this report; and he was subsequently informed that it was not desirable to make it public, chiefly on account of foreign nations. If the same reason still existed, he should not ask for that report; but he hoped it would lead to the formation of a permanent scientific body, whose duty it should be to look over all plans beforehand, to ascertain what weight vessels would carry, what armament, and what number of men, and who should be capable of detecting errors in plans, as well as to make plans themselves. Holding, as he did, these views, he hoped the Admiralty would consider whether the duties of the Surveyor of the Navy should not be revised. The duties of that officer he considered more than one man could do. If he had to be constructor of ships, and of all that depended on that duty, he had not time to do what the name of his office implied what he ought to do—thoroughly survey the ships of the Navy. In consequence of this, vast expense had been incurred by laying up ships in ordinary, and which went to decay from not being sold in time. Ships had been disposed of at rates much below what they would have brought had they been sold earlier, when they were of much greater value. Before he sat down, there was one point to which he wished to direct the attention of the Admiralty. About three years ago, he asked the gallant Admiral the Member for Ripon, if it was the intention to send any ships to survey the colony of New Zealand? The answer was, that a ship for that purpose would be sent out as soon as circumstances permitted. Since that time the colony had greatly increased in importance, and its trade was much enlarged; and he might state that a fine ship, the *Osprey*, was lost in that quarter, in consequence of one headland being mistaken for another. He begged, therefore, before resuming his seat, to call the attention of the Admiralty to this important subject.

Mr. WARD believed, that on the subject of shipbuilding, it would be found there were as great differences of opinion as on religious questions; but, before going into these points, he might state, in reply to questions that had been put, that the *Princess*, one of the ships of the *Albion* class, was to be considerably altered and improved, and that, among other alterations, she was to be reduced two feet in breadth. As to the best mode of building ships, no doubt, in many cases, the advantages and disadvantages had been pretty much as the noble Lord had described them; he hoped there would in future be a better system. The noble Lord had inquired whether there was any intention of establishing a School of Naval Architecture. It was not intended to establish such a school; but the intention was to introduce a better system into the dockyards, and by giving the boys a good elementary education, and selecting two or three of the best boys yearly, instructing them in mathematics, and placing them in the dockyards at Plymouth and other places, it was thought that a school of naval architecture might be dispensed with.

Sir C. NAPIER repeated his objections to the *Aboukir*, and that class of vessels which were finishing at Plymouth. The *Albion* was a most unfit man-of-war. Sir Hyde Parker had told him (Sir C. Napier) that when the *Albion* had been ordered to bear up and form in the lee line, she rolled so tremendously that she nearly carried away her masts. [Admiral Dundas: No report of this was made by the Admiral.] Then the Admiral did not do his duty. The *Exmouth*, he had heard, was so far advanced, that it was too late to stop; and so sure as she went into action, and attempted to manœuvre, it would be the same with her as with the *Albion*, and the *Superb*, which had likewise the character of a bad man-of-war. He therefore could not help saying that it was wrong in the Admiralty to expend one sixpence upon the *Aboukir* or the *Exmouth*. At present we were going on with five three-decked ships finishing on the stocks without knowing whether they would be fit for the purposes for which they were intended. The hon. Gentleman the Secretary to the Admiralty had informed the Committee that the 92-gun ship was to be altered; but he had heard odd stories about some of those ships. Certain plans had been submitted to the Committee of Construction to make them better ships. The Surveyor had, however, represented to the Board of Admiralty that he could suggest a plan for altering those ships. He hoped the hon. Secretary would tell the House whether the plan of the Surveyor had been required to be submitted to the Committee of Construction, and approved by them or not; and whether the Surveyor's plan, or the Committee of Construction's plan, was to be carried into execution. The duty of the Surveyor of the Navy was not to build ships. If they allowed one man to influence these questions, and to propose a plan, he would see no good in any plan but his own. If certain sets of men were to be allowed to build ships according to their own notions, they would still have classes of ships which were deficient. He would tell the Secretary to the Admiralty what the duty of the Surveyor was ; he should let the shipbuilders at Woolwich, at Plymouth, and at Portsmouth, and other places, build ships, and then it should be his duty to check him, examine into their timbers and their iron, and finally ascertain which of the ships sailed the best. That was the proper duty of the Surveyor; and if the Admiralty kept him to that duty we should have more efficient ships built than we now had. He wished to know whether the Secretary to the Admiralty had any objection to lay on the Table copies of the reports made by the Surveyor upon all the plans that had been submitted to him by the different shipbuilders in this country during the last three years; if not, he would, in a few days, make a Motion on the subject. The noble Lord (Lord Ingestre) stated that there was evidently such a desire to bring only one description of ships into the service that every impediment was thrown in the way of completing those ships, which were intended to be built on a different construction. He (Sir C. Napier) agreed with the noble Lord in this opinion; and as a proof of it he would just remind the Committee of what occurred in the case of the *Dublin.* That vessel was ordered to be repaired; and the cost of reparation was estimated at between 30,000*l.* and 40,000*l.*; but after much delay it was finally repaired, and only 10,000*l.* was expended on her. That was a strong instance of the manner in which it was endeavoured to get rid of ships that were built in certain ship-yards. Another instance was that of the *Vindictive,* which was a ship built by Mr. Blake, of Portsmouth. That ship was sent up the river in order to get it out of the way, and there it remained for ten years, though on two occasions it had been commissioned and favourably reported on. As to the Queen's yacht, he agreed with the noble Lord (Lord Ingestre), that the expense of it had been tremendous. No one would be more gratified than himself to see Her Majesty possess a yacht that should be capable of affording every possible convenience; but the people, when they should come to know what had been expended on the one that was even yet unfinished, would be perfectly astounded. And, after all, what was she? The Queen of England when she should go on board would be stuffed down into a well cabin; and if she wished to look out of the stern cabin windows, she would be obliged to get upon a chair. If the vessel ever should be finished, he was sure it would never be for the Queen of England's use; for Her Majesty would find it absolutely necessary to have a new yacht, and he should readily give his vote on any such occasion for building her a new one.

Captain GORDON was desirous of knowing what was the nature of the responsibility which attached to the Committee recently appointed to examine plans for the construction of ships submitted to the Board of Admiralty? He had no objection to the appointment of such a Committee; but he did trust that the Admiralty had determined to adhere to their recommendations and reports. It now appeared that the Admiralty had come to the determination to proceed with two ships of the *Albion* class; now he (Captain Gordon) wished to know whether that determination was arrived at in consequence of the recommendation of the Committee of Construction? Unless that Committee were to have some responsibility, it had much better be done away with altogether. There was another subject which he could not refrain from alluding to—he meant the late School of Naval Architecture. He never should cease to regret the discontinuance of that school. He thought it a disgrace to this great maritime country that there should not exist an institution of that description. Indeed it was now more than ever required, since the organization of the men at the dockyards into a sort of naval artillery; for how would those men become qualified either to act themselves, or to instruct others, unless there existed a school at which they might obtain the necessary knowledge?

ADMIRAL DUNDAS, in reply to the gallant Captain's question respecting the responsibility of the Committee of Reference, said, that the duty of that Committee was to act as the advisers of the Board of Admiralty; but the Board were not necessarily bound to follow implicitly the recommendations and suggestions of the Committee. With regard to the Admiralty having at length determined to proceed with the two vessels of the *Albion* class, he begged to observe that the board was very much guided as to the course they should take by the expense that would be incurred. Now, in the case of those two vessels, the expense incurred was immense—not less than 20,000*l.*; and this might be supposed to require consideration before proceeding. But in the case of the *Princess Royal*, the expense already incurred was only 5,000*l.*, and in that respect, therefore, no difficulty could be supposed to exist.

Vote agreed to.

On the Vote that the sum of 1,556,498*l.* be granted to Her Majesty for defraying the expense of naval stores, for the building, repair, and outfit of the fleet, &c., for the year 1847-8, being proposed,

MR. HUME wished to know whether any one could get up in that House and say whether, since the abolition of the Naval School of Architecture, the greatest abuses had not arisen in the building of ships? Since the date of Sir William Symonds' appointment as Surveyor of the Navy, no less than 22,000,000*l.* had been expended in building ships for the Navy. If he was rightly informed, not one ship built by Sir William Symonds could carry her guns on the lines laid down for her floatage. Before the building of the *Albion* was completed, and before any trial could possibly have taken place, half a dozen of the same class were laid down at a cost of at least half a million of money. When the *Vernon* was alluded to in that House, Sir J. Graham promised that she should be fairly tried before any other ships of the same class were laid down. How had that promise been adhered to? The character of the Navy had been destroyed by the proceedings which had taken place with respect to the building of ships for Her Majesty's service. If something were not done without delay by those who were responsible for the efficiency of the Navy as to the rules for the construction of ships, he should certainly bring the subject before the House. If he had not been misinformed, the report of the Committee on Naval Construction condemned the system of shipbuilding adopted by Sir William Symonds from beginning to end. He therefore wished to ask his hon. Friend the Secretary of the Admiralty what was the nature of the Report of the Committee on Naval Construction on the present state of the Navy? The Admiralty would not do its duty to the country, if it did not give the fullest information on the subject.

CAPTAIN BERKELEY had not risen to defend the shipbuilding of Sir W. Symonds; but he could not sit still and hear that gallant officer condemned in the way in which he had been. He had belonged to three several Boards of Admiralty, namely, that of Sir James Graham, that of the Earl of Minto, and the present Board; and to each of these boards reports most favourable of the character of Sir W. Symonds' ships had been presented. An hon. Gentleman had challenged any naval officer to point out a ship built by Sir W. Symonds which was fit to go to sea. He could mention several of the finest ships in the service built by that officer; for instance, the *Vestal* and the *Cleopatra*. When the *Vernon* was first sent to sea, under the command of Sir Francis Collier, that officer made the most favourable reports to the Admiralty respecting her. He admitted, at the same time, that Sir W. Symonds might have failed in the construction of his line-of-battle ships. The Committee on Naval Construction had suggested that part of the plan of Sir W. Symonds should be modified, as they conceived that in some respects he carried certain principles too far; and the present Board of Admiralty intended to act on that suggestion.

VISCOUNT INGESTRE complained of the system of mystification and falsehood which prevailed in our dockyards, by which the work done to one ship was charged to another, so as to prevent the discovery of the real expense incurred on each ship.

SIR C. NAPIER said, that he should propose, as an Amendment, that the vote be reduced from 1,556,498*l.* to 1,520,000*l.* He wished to observe, that when he spoke in such condemnatory terms of Sir W. Symonds' ships, he only alluded to the line-of-battle ships.

Captain PECHELL thought that the country was in some respects indebted to the services of Sir W. Symonds. He had had occasion to complain of that gallant officer, and of the construction of some of his ships; but he believed that he had recently rendered the State some service. They had formerly sent a class of vessels to the coast of Africa, the well known ten-gun brigs—a class that had been actually condemned by the House. Now, they had a very superior class of vessels for that service. During the late American war, they had suffered great privation and much annoyance from the want of vessels sufficiently fast sailers to be able to catch the American ships; and he himself had suffered, during the blockade of one of the American ports, from the want of a sufficiently fast-sailing vessel. Now, the improvement in the sailing qualities of British ships of war, was a great benefit to the service; and as to the condemnation that had been passed upon some of our ships of the line, let them look to the opinion of the Prince de Joinville, who had pronounced the British to be eminently successful in the construction of steam vessels; whilst the condemnation passed by him upon two of the French ships, the *Hercule* and the *Gemappes*, was far beyond anything that could with justice be said of any British vessel of the line. If therefore the gallant Admiral pressed the House to a division, he certainly should not vote with him, thinking, as he did, that Sir W. Symonds had done some good service to the country. Before sitting down he should beg to ask the hon. Secretary to the Admiralty what course had been adopted with respect to a very valuable invention produced by Mr. Alfred Jeffrey, and applicable to the caulking of ships—he meant the marine glue? He understood that that very valuable invention had been applied to the purpose of caulking the decks of several of our ships that were sent to the coast of Africa and other hot climates, and they had been very much benefited. The necessity, which was well known to exist hitherto, of having the decks caulked every three years, had been obviated; and he believed that if the material were brought into use throughout the Navy generally, a saving of from 20,000*l.* to 50,000*l.* a year might be effected. But as to the advantages to those on board the vessels sent to warm climates, every one at all conversant with the subject must be aware of the excessive annoyance arising from the pitch used in the ordinary caulking of the decks becoming soft and clinging to the feet; and when the comfort of those who were obliged to sleep upon the deck was considered, the advantage arising from the use of the marine glue must be evident. He trusted that the hon. Secretary to the Admiralty would tell the House what course was about to be adopted with reference to the material, and also whether the gentleman who invented it was to be rewarded.

Mr. WARD said, that the results of the experiments made with the marine glue had been extremely satisfactory; and he hoped that the gentleman who had invented it would have his claims favourably considered by the House at some future time.

Sir CHARLES NAPIER said, that Sir W. Symonds had had nothing to do with building the iron steam boats. But as to the question before the House, he would not put them to the trouble of a division, if hon. Members were opposed to it on the ground that it implied an attack on Sir W. Symonds. It was not upon such a ground that he wished to divide; and he would withdraw his Amendment if the hon. Secretary of the Admiralty would give him any hope that a Committee would be granted for the purpose of examining into those matters of which he complained.

Mr. WARD could give no hope of the kind. He should only say that every possible diligence would be exercised by the present Board of Admiralty, and that the whole mode of proceeding would be revised.

Sir C. NAPIER would not divide the House.

On the Vote of a sum not exceeding 22,839 for medicines and medical stores,

Captain PECHELL called the attention of the House to officers taken into the Haslar Hospital for lunatics. It appeared that from the year 1818 to 1831 a system had prevailed of impounding half the pay of those unfortunate officers by way of compensation for their keep in the hospital; so that whether they had 5*s.* or only 3*s.* a day, the half was alike kept back, to the great hardship of their families. In 1831 it was at length discovered that 1*s.* 6*d.* a day was enough to keep each individual; and he (Captain Pechell) brought the case of Lieutenant Bevan before the House.

Restitution of the difference during the period of his confinement was ordered to be made; and an order to that effect (directing the reimbursement of the excess), dated the 11th January, 1832, was sent down from the Board of Admiralty. But on the 20th of January, and before the order was obeyed, a fresh order from the Board was sent down countermanding the first, and stating as the reason, that if restitution of the excess were made in the case of Lieutenant Bevan, there would be no fewer than ninety similar claimants who would expect a similar reimbursement. Now, on looking over the list, he found that only forty instead of ninety similar claims could be made, and the whole sum required to repay them would not exceed 3,000*l.* This was one of the few cases in which he had to complain of Sir J. Graham's Board of Admiralty, and he trusted the matter would be remedied.

Vote agreed to.

On the question that 725,788*l.* be granted for half-pay to officers of the Navy and Royal Marines.

Captain PECHELL wished, before the vote was sanctioned, to draw the attention of the House briefly to the case of the masters, paymasters, and pursers of the Royal Navy. He felt the necessity of getting through the Navy Estimates that night, and he would therefore be very brief in his observations. The injustice done these officers had been frequently brought forward. The masters were always by the captain's side in the hour of danger: they shared all the responsibility and risk; but when honour or emolument was in the way, they were always passed over. All they desired was, that their rank should be amalgamated with that of the lieutenants. In 1834, the purser's sea-profits were reduced without there being any correspondent advantages given to them; and a Committee of flag-officers had reported that there should be a retired list. This Committee recommended it should be limited to fifty, but only thirty were appointed. Some explanation ought to be given of the reason why this recommendation was not carried out.

Captain BERKELEY assured the Committee that the masters in the Navy were a most valuable class of officers. By good conduct and bravery they could attain the highest rank; but he believed it would be an injury to the service to remove them from the class to which they belonged.

Sir C. NAPIER did not think the masters in the Navy were in their proper position. A boy, who had been midshipman, on being made junior lieutenant, became the senior officer of the master immediately, a practice extremely hard upon the master. They ought, in his opinion, to be promoted to the rank of commander.

Vote agreed to.

The House resumed. Report to be received.

House adjourned at a quarter past One o'clock.

HOUSE OF COMMONS,

Tuesday, April 13, 1847.

Minutes.] Public Bills.—1° Registration of Voters; Quakers' and Jews' Marriages.

Reported.—Prisons (Ireland).

3° and passed:—Fever (Ireland).

Petitions Presented. By Mr. C. Bruce, from the Presbytery of Aberlour, and Sir H. Campbell, from the Presbytery of Dunse, against the Marriage (Scotland) Bill.—By Mr. A. Smith, from Watton, for Repeal of the Maynooth College Act.—By Colonel Lindsay and other Hon. Members, from several places, against the Roman Catholic Relief Bill.—By Mr. H. Berkeley and other Hon. Members, from several places, in Favour of the Roman Catholic Relief Bill.—By Mr. Brotherton, from Rochester, against the Use of Grain in Breweries and Distilleries.—By Mr. A. Smith, from Hertford, respecting Remuneration to Tax Assessors and Collectors.—By Viscount Clive, from Justices of the Peace for the County of Salop, against the Custody of Offenders Bill.—By Mr. Ainsworth and several other Hon. Members, from a great many places, against the Proposed Plan of Education.—By Mr. Muntz, from Birmingham, and Mr. Ord, from David H. Wilson, Newcastle-upon-Tyne, in Favour of the Proposed Plan of Education.—By Captain Pechell, from Guardians of the Poor of the East Preston Union, for an Efficient Poor Law (Ireland), and for Repeal of Aleration of the Poor Removal Act.—By Mr. Tomline, from Shrewsbury, against the Railways Bill.—By Mr. C. Bruce, from the Presbytery of Aberlour, and Sir Hugh Campbell, from the Presbytery of Dunse, against the Registering of Births, &c. (Scotland) Bill.—By Mr. C. Bruce, from Ministers and Elders of the Kirk Session of Keith, and the Earl of Lincoln, from Members of the Kirk Session of the Parish of Hamilton, against the Registering of Births, &c. (Scotland) Bill, and the Marriage (Scotland) Bill.—By Mr. Muntz, from Birmingham, for Alteration of the Law respecting the Sale of Beer.

THE EXPERIMENTAL SQUADRON.

Sir CHARLES NAPIER wished to know from the Secretary of the Admiralty whether there would be any objection to produce a copy of Admiral Parker's report as to the sailing of the squadron under his command. In case no report had been made to the Admiralty, he was anxious to know whether the Admiralty would call on Admiral Parker to furnish his report for that House, as it was well known the gallant Admiral had prepared a report.

Admiral DUNDAS said, a communication had been received from Sir Hyde Parker, but no regular report had been made by that gallant Officer to the Admiralty.

SIR C. NAPIER said, that the gallant Admiral had not given any answer to his question. What he asked was, whether the gallant Officer would call upon Sir Hyde Parker for his report, because, that such a report had been prepared, he knew perfectly well.

ADMIRAL DUNDAS would inquire into the matter.

REGISTRATION OF ELECTORS.

MR. WALPOLE moved, in pursuance of notice, for leave to bring in a Bill to amend the law for the registration of persons entitled to vote in the election of Members to serve in Parliament for England and Wales, pursuant to suggestions contained in the Report of the Committee on Notes of Electors. The hon. and learned Gentleman said he would not, on this occasion, do more than state the leading objects of his Bill, reserving for the second reading a more detailed statement of its provisions. His chief purpose was to prevent that wholesale system of raising objections to voters, by which much injustice was now wrought; and this he proposed to do by giving to all *bonâ fide* electors the right of retaining their names on the register without being exposed to frivolous and vexatious objections. He sought to accomplish his object by the imposition of a heavy penalty on the objector who, without good and probable cause, objected to the vote. Another means by which he sought to secure the quiet right of a *bonâ fide* voter was to take away all objections founded upon mere technical grounds, without going at all to the merits; but he had another object, which was that of facilitating the purification of the electoral lists, by giving to the *bonâ fide* objector increased means of effecting that purpose, at the same time that his power should be so restricted as not to admit of his acting vexatiously or injuriously towards the elector. He would not go further into the nature of the measure; but would just state, that it was a Bill framed in conformity with the suggestions contained in the report of the Committee on Votes of Electors.

Leave given. Bill brought in, and read a first time.

RETAIL BREWERS.

MR. MUNTZ presented a petition signed by between 700 and 800 retail brewers of the midland counties, praying that they might be allowed to keep their houses open till twelve o'clock at night, and proceeded to make the Motion of which he had given notice. The subject of his Bill lay in a very small compass. The retail brewers were of opinion that they had not been fairly dealt with in being obliged to close at eleven instead of twelve o'clock. They complained, with some reason, that the parties who frequented their houses were compelled to leave at such an hour that they usually adjourned to the houses of licensed victuallers to finish the evening, and there spend the money which ought to be spent with them. They could see no reason why an hour longer should be granted to the retail brewers of London, asserting that although the hours of the upper classes in London might be later than in the country, the same rule by no means prevailed with reference to the working classes. He confessed, that, for his own part, he had always thought the law allowing brewers to retail beer on the premises very questionable; but such being the law, the brewers now asked to be placed on an equal footing with others. He, therefore, begged leave to move for a Bill to enable retail brewers in the midland counties to keep open their houses till twelve o'clock at night, the same as the metropolitan retail brewers.

SIR G. GREY said, entertaining, as he did, a strong objection to the proposition of the hon. Member, it was hardly worth while to observe the courtesy usual in such cases, by allowing the Bill to be introduced. The 3rd and 4th Victoria, chap. 61, fixed three periods at which beer-shops should be closed. He called them beer-shops; for, let the hon. Member designate them as he might, that was what these retail brewers really were. From what he had heard with respect to the manner in which those shops were conducted in Manchester, Birmingham, and other large places, he believed they were under the management of very respectable persons; but beer-shops they nevertheless were, and constituted a class of houses very distinct from those occupied by licensed victuallers. By the statute he had quoted, all such houses within the city of London and Westminster, and the district around which were within the supervision of the metropolitan police, were allowed to keep open till twelve o'clock; in other large places, containing a certain amount of population, they were allowed to keep open till eleven o'clock; while in country places and thinly populated districts they were only allowed to keep open till 10 o'clock. Now, the proposition of the hon. Gentleman was, that all the beer-shops throughout the country should be allowed to keep open till 12 o'clock. He did not see any reason for this, or any good ground why the present regulations should be disturbed, The distinction as to the hours between the metropolitan and the country districts was obviously founded upon the fact that the beer-houses within the metropolitan districts and of large towns would be under better supervision by means of the police than in country places; which, in his opinion, was a very sound distinction, and he must therefore oppose the introduction of the Bill.

MR. MUNTZ deemed it his duty to divide the House on his Motion.

House divided:—Ayes 4; Noes 77: Majority 73.

List of the AYES.

Hume, J.
O'Connell, M. J.
Pechell, Capt.
Trelawny, J. S.

TELLERS.
Muntz, G. F.
Collett J.

List of the NOES.

Adderley, C. B.
Arkwright, G.
Baillie, H. J.
Baillie, W.
Baring, rt. hon. F. T.
Broadley, H.
Brotherton, J.
Brown, W.
Bruce, C. L. C.
Carew, W. H. P.
Christie, W. D.
Clive, Visct.
Colebrooke, Sir T. E.
Cripps, W.
Dalrymple, Capt.
Davies, D. A. S.
Dick, Q.
Dickinson, F. H.
Disraeli, B.
Dodd, G.
Duncan, G.
Duncombe, T.
Dundas, Sir D.
Escott, B.
Estcourt, T. G. B.
Forster, M.
French, F.
Fuller, A. E.
Gibson, rt. hon. T. M.
Gore, hon. R.
Goulburn, rt. hon. H.
Greene, T.
Grey, rt. hon. Sir G.
Hamilton, W. J.
Hastie, A.
Hatton, Capt. V.
Hawes, B.
Henley, J. W.
Hindley, C.
Hope, Sir J.
Hope, G. W.
Hudson, G.
Humphery, Ald.
James, Sir W. C.
Jervis, Sir J.
Labouchere, rt. hon. H.
Lindsay, Col.
Loch, J.
Lowther, Sir J. H.
Lygon, hon. Gen.
Maitland, T.
Manners, Lord J.
Marjoribanks, S.
Maule, rt. hon. F.
Molesworth, Sir W.
Morpeth, Visct.
Neville, R.
Newport, Visct.
Ogle, S. C. H.
Oswald, A.
Palmer, G.
Parker, J.
Philips, M.
Pusey, P.
Rendlesham, Lord
Repton, G. W. J.
Rutherfurd, A.
Smythe, hon. G.
Somerville, Sir W. M.
Spooner, R.
Stansfield, W. R. C.
Staunton, Sir G. T.
Trotter, J.
Turner, E.
Waddington, H. S.
Ward, H. J.
Yorke, H. R.

TELLERS.
Tufnell, H.
Hill, Lord M.

NEW HOUSES OF PARLIAMENT.

MR. HUME then moved for various returns of the monies to be expended on the New Houses of Parliament.

MR. H. J. BAILLIE said, he was happy to find that the hon. Member for Montrose had moved for these returns. The original estimate of the expense of the New Houses was 800,000*l.*; but already nearly 1,000,000*l.* had been expended, and he had little doubt that before the building was finished the cost would not be less than 2,000,000*l.* He thought the House must take into their hands the control of the future expenditure.

Motion agreed to.

JEWS AND QUAKERS.

MR. CHRISTIE moved for leave to bring in a Bill to remove doubts as to Quakers' and Jews' marriages solemnized before the 2nd day of March 1837. The hon. Member said, that in the recent investigation of the law of marriage, which had taken place in consequence of certain questions that arose with respect to the marriages of Presbyterians in Ireland, doubts had been thrown out by some of the Judges on the bench as to the validity of the marriages of Jews and Quakers since the Act of 1835; and it was to remove those doubts that he now proposed to bring in a Bill.

SIR G. GREY said, he was assured by a very high legal authority that no such doubt as that alluded to by the hon. and learned Gentleman did really exist; but, as some doubt had certainly been thrown out from the bench, there could be no objection to the introduction of this Bill.

Motion agreed to.

COSTS OF PRIVATE BILLS.

MR. HUME, in moving for leave to bring in a Bill to amend an Act to establish a taxation of costs on Private Bills in the House of Commons, said that the Committee on Private Bills as soon as they met this Session, had considered it their duty to follow the example set by the Committee of the previous Session; and the result of their inquiry appeared in a report which was laid before the House on the 29th of March. In that report they recommended that no time should be lost in the introduction of a Bill to afford that protection which the Committee considered persons bringing Bills into the House had a right to expect. Every other court in this country had the power of checking, controlling, and regulating the expense of its proceedings; and the Bill which he had been requested to propose was for the purpose of giving to the Speaker of the House the same power as the Lord Chancellor possessed in the Court of Chancery, by which a scale of fees was framed, and an officer appointed to tax the bills of all those who chose to submit to such taxation. There was, however, one question of considerable difficulty, namely, whether all bills of costs should be necessarily taxed, or whether the taxation should be voluntary on the part of those who had to pay the bills. A difference of opinion upon that point certainly existed; but the Committee had recommended as a general rule that the former course should be adopted, and that all bills should be taxed before any persons were called on to pay any part of the expenses. If there were any doubt upon this subject in the mind of any person who had at all attended to proceedings before Parliament, he would mention one or two cases that came before the Committee to show the importance of such a Bill as that which he proposed. In the appendix of the report of last Session, was the examination of a resident local judge in Liverpool on the subject, and that gentleman stated that not less than sixty-two local Bills existed in that borough; and on the Committee asking for an account of the expenses incurred for legislation before that House since the passing of the Reform Bill, he gave the following:—

> "Liverpool Corporation, for local Acts, 1836 to 1844, 24,125*l.*; Liverpool Sewerage Commission, 1842 to 1843, 3,920*l.*; Liverpool and Harrington Waterworks Company, 1822 to 1843, 3,618; Liverpool Docks, 1838, to the 31st of November, 1846, 31,242*l.*; Liverpool New Gas and Coke Company, 1823 to 1845, 7,698*l.*: Liverpool Gaslight Company, 58 George III., c. 66, and 4 Victoria, c. 28, and opposition, 5,885*l.*; Bootle Waterworks, Liverpool, 3,164*l.*; Toxteth-park Local Act, 1842 to 1846, 2,679*l.* Total, Liverpool, 82,331*l.*"

If all those bills had been submitted to taxation before the authorities were warranted in paying them, he had no hesitation in saying that there would have been a very considerable reduction in that amount. In future, therefore, if the House should sanction the Bill which he proposed, that remedy would be available. He found, also, that the trustees of the river Clyde—a most important trust, certainly—had, since 1836, spent, in applications to that House and in law expenses, 56,847*l.*—as large a sum as was actually laid out in the improvemeut of the river, the Parliamentary expenses alone being 20,468*l.* At the end of the report the Committee thought it right to state an example of how much could be charged for doing very little business, and he would now mention it. The Coal Term Act of Newcastle expired the Session before last; a Bill was brought in to continue it; it consisted of only two clauses, a third being introduced in Committee. He understood from the hon. Member for Sunderland, who was on the Committee, that not more than an hour was occupied before them; but the attorney's bill was 1,985*l.* He would state also, with reference to one railway, the London and York, that the preliminary expenses of the Bill amounted to no less a sum than 432,620*l.* The preliminary expenses of passing the Bill for the Direct Northern Railway was 123,414*l.*; the expenses of the London and York Extension was 309,206*l.*; making in the whole, 432,620*l.* Only that morning he had received from Bury an account of the expense of a Bill that passed that House last Session. It was a sanitary Bill; but the charge to the corporation was 3,676*l.* He ventured to hope that the House would agree with him when he said that there ought to exist those checks which by the Bill it was proposed should be given.

Leave given.

HASLAR HOSPITAL.

Captain PECHELL called the attention of the House to the management of Haslar Hospital, and referred to the case of Lieutenant Forbes, who was arrested for debts contracted by his wife, he being at the time blind and insane.

Mr. WARD said, the Board of Admiralty were perfectly aware of the abuses which had existed in the management of Haslar Hospital; but he hoped his hon. Friend would recollect that those abuses were of very ancient date; and he was now happy to be able to state that the expense of maintaining the inmates of that institution had been reduced within the very narrowest limits. He had also to add, that the balance of the half-pay of each patient was handed over to his family. He could, however, hold out no hope that the present

Board of Admiralty would authorize the refunding of the overcharges made before the exact cost of maintenance had been ascertained. He could assure his hon. and gallant Friend that at the Board of Admiralty there was no indifference upon this subject.

FEVER HOSPITALS (IRELAND).

On the Order of the Day being read for the Third Reading of the Fever (Ireland) Bill,

Mr. FRENCH rose to make a few observations, but not for the purpose of opposing the progress of the Bill. There now prevailed in Ireland a low typhus, which generally carried off the parties suffering under it in the course of two or three days. But besides that, there was another fever of a very virulent character generated in the workhouses; and, he regretted to say, that these fevers now prevailed to a very alarming extent—to an extent such as made it incumbent on the Government to establish without delay an efficient system of medical superintendence throughout the whole of Ireland. There were now in Ireland 600 dispensaries—there were 150 fever hospitals; by the Bill at present, there would be established as many as 1,800 institutions for affording medical relief, and he thought that the people of that country ought not to be so heavily taxed as by the Bill it was proposed to tax them, without affording the benefit of competent medical inspection. The principle which he sought to induce was no novelty. Every Bill heretofore introduced by the Government and others upon this subject contained one most important feature—namely, the establishment of a competent medical board of inspection. The several commissions of inquiry—the Poor Law Commissioners—the late Government in the Medical Charities Bill, which they introduced—a Committee of this House—and, in the last Session, a Committee of the Lords, all strongly recommended such a board. At a large meeting of Irish Peers and Members, lately held, a strong opinion was expressed as to the necessity for a board of medical inspection; a resolution to that effect was adopted; and he (Mr. French) was deputed by the meeting to submit its views and resolutions to Her Majesty's Government—yet in the present Bill there was no such provision. There now existed, amongst all the medical incorporated bodies of Ireland a strong disposition to pull with the Government; and he (Mr. French) hoped that their wishes in favour of efficient inspection would be attended to on the present occasion.

Mr. LABOUCHERE was quite aware of the importance of the subject which had now been brought under the consideration of the House; he begged, however, to remind hon. Members that the Bill was one only of a temporary nature. But that, even so considered, it afforded the best means of checking the progress of fever. With regard to the subject of medical inspection, he was not then prepared to make any statement whatever. He was, however, most anxious to assure the House that the subject was under the consideration of the Government. It would be necessary for him to add one or two clauses to the Bill; it was only right that the Treasury should be entitled to some check over the expenditure; the appointments might be in the hands of those to whom they had been intrusted according to the original arrangement; but the Treasury ought to possess a check. It had been recommended, and care would be taken to insure it, that a separation of those who were affected with fever from those who were in health should be made. The Bill provided that relief should, as much as possible, be afforded to the patients at the dispensaries and in the hospitals; but he feared that strict rules on that point could not in every case be rigidly enforced, and therefore some discretionary power must be left.

Mr. FRENCH, in reply to the observations of his right hon. Friend with reference to the Board of Health, must say that, as at present constituted, the Board of Health does not represent the profession in Ireland. "It is true that a man of the highest eminence (Sir Philip Crampton) is at its head; but it is equally true that those men whose distinguished professional career have added lustre to the high character, throughout Europe, of the Irish College of Surgeons and Physicians, have been left off this board. So long as such a system of exclusion is continued, it is impossible to expect that the Board of Health can obtain the confidence either of the profession or of the public." He should not, however, offer any objection to the bringing up of the clauses, although it appeared to him that they were totally unnecessary, as the cases referred to by his right hon. Friend were amply provided for by the 7th Clause.

The additional clauses were then brought up and agreed to, and the Bill read a third time and passed.

House adjourned at a quarter before Seven o'clock.

HOUSE OF COMMONS,

Wednesday, April 14, 1847.

Minutes.] Public Bills. *Reported.*—Exchequer Bills 18,310,700*l.*

Petitions Presented. By Sir J. Hope, from Members of the Kirk Session of the Parish of Ratho, against the Marriage (Scotland) Bill.—By Mr. Finch, from Burley-on-the-Hill, and from Knossington, for Repeal of the Maynooth College Act.—By Colonel Austen and several other Hon. Members, from a great many places, against the Roman Catholic Relief Bill.—By the Earl of Arundel and Surrey and several other Hon. Members, from a great many places, in Favour of the Roman Catholic Relief Bill.—By Mr. W. Patten, from Blackburn, against the Rating of Tenements (No. 2) Bill.—By Mr. Henry Berkeley and other Hon. Members, from several places, against the Proposed Plan of Education.—By Mr. Christopher and other Hon. Members, from several places, in Favour of the Proposed Plan of Education.—By Mr. Christopher, from Guardians of the Poor of the Sleaford Union, for Repeal or Alteration of the Poor Removal Act; and from Gainsborough, in Favour of the Ports, Harbour, &c. Bill (1846).—By M. H. Berkeley, from Bristol, and Mr. C. Russell, from Reading, for the Suppression of Promiscuous Intercourse.

ROMAN CATHOLIC RELIEF BILL.

On the Order of the Day for the House to resolve itself into a Committee on the Roman Catholic Relief Bill,

Sir R. H. INGLIS said: Sir, when I recollect that the present Bill within the last month nearly met with its rejection by this House; that it was saved by a majority of only three; and that a Bill, almost precisely the same, was, as it ought to have been, rejected by a majority of 120 to 80 in the course of the last Session—I think the most fastidious Member of this House will not accuse me of giving any unwarrantable trouble to the House when I ask them to reverse their last decision, and to return to that sounder course of policy which they adopted last year when they rejected a similar measure. And, Sir, when I consider the immense importance of the principle involved in this matter, I trust I have still less reason to apologize to the House for intimating thus early my intention of again taking the sense of the House upon this question. Sir, this is one of a series of measures having for their direct tendency—I will not say their design and object, for I acquit the hon. and learned Gentleman the Member for Kinsale (Mr. Watson) of any such design—but I cannot conceal from myself that this is one of a series of measures having the direct tendency to unprotestantise the Constitution of England, and to degrade its Church. But it is not a question affecting the Church of England only—it is a question affecting the Protestantism of England; and I trust that those Protestants who are not united with the Church in respect to certain formularies, which I myself regard as of the greatest importance, but which they do not look upon in the same light—I trust that those Protestants will support, in this House, as I know they have supported out of doors, the rejection of this Bill. I am aware, Sir, that the hon. and learned Member for Kinsale has given notice in the Votes of the House of sundry alterations, and of the insertion of new clauses in the Bill, which he regards as likely to mitigate the opposition which the measure has hitherto received. But, in the first place, these clauses, as announced in the Votes, touch nothing but the latter half of the Bill — that portion of the Bill which would virtually repeal certain clauses in the Roman Catholic Emancipation Act of the year 1829. They leave perfectly unamended the larger portion of the Bill, which refers to those earlier provisions and securities taken by the Constitution of England in favour of its Church and of its Protestantism. Even if those clauses, of which the hon. and learned Gentleman has given notice, were at this moment adopted by acclamation on the part of the House, although they would, to a certain degree, modify the character of the Bill, they would not so change that character as to justify me for a moment in relaxing my general opposition to the measure. Sufficient would remain, even if these clauses were inserted in the Bill, to justify me, so far as I can form an opinion upon the measure as a question of policy, in urging upon the House its rejection. Seeing the hon. and learned Gentleman the Attorney General in his place, I wish to call his attention to a legal objection which I entertain to the Bill as it now stands, or even as it may be modified by the proposed Amendments. I consider that England is at this moment a Protestant State and empire; and I consider that the provisions of this Bill tend to destroy that character. I admit, indeed, that persons who are not Protestants have been allowed, by the Act of 1829, to take a share in the legislation of this empire—I admit still more, that there are members of communions dissenting from the Church of England, and especially members of the Church of Rome, permitted, by the exercise of official patronage, to change in a great degree the external character of the Established Church in this country. But that to which I wish to call the attention of the law advisers of the Crown is this—that I consider I am justified in maintaining that at this moment England is a Protestant State;. and thank God for it; for it is the great ornament and bulwark of this country that she can be so described; and God forbid that any of those who call themselves Protestants should ever be ashamed of that which is their distinction, their honour, and their blessing! But while I claim for England its general character of Protestantism, I also specially claim it for the Crown, inasmuch as the Sovereign is essentially and necessarily a Protestant—and more than that, a member of the reformed Protestant Church of England. I consider that this is established by statute law, which I believe the Bill on the Table of the House is calculated materially to shake and endanger; and I wish the law officers of the Crown to have an opportunity of following me if they please, and of stating whether or not I am correct in my position, that the Bill, as it stands, does virtually greatly damage and endanger that security which the country now enjoys for the maintenance of its Protestant character, by the fact that the Sovereign is necessarily a member of our Protestant Church. The point to which I wish to call the attention of the House and of the Attorney General is not, I venture to think, one absolutely unimportant, while it is one which we have not yet discussed. By the Bill of the hon. and learned Member for Kinsale, as it stands at present, and as it would stand even after the alterations of which he has given notice, he proposes to repeal the whole of the Act of the 25th Charles II., and also, the whole of the Statute of the second Session of the 30th of Charles II., entitled—

> "An Act for the more effectually preserving the King's Person and Government, by disabling Papists from sitting in either House of Parliament."

And my point is this: By the statute which I have last mentioned, every person on being admitted to take his seat in either House of Parliament, was to make a certain declaration. Every one knows, however, that under the Act of 1829, the obligation to make such a declaration has ceased, and that Members are admitted to both Houses without making any such declaration. But that is not the case with respect to the declaration required from the Sovereign, by the Bill of Rights—a statute which no one, notwithstanding the spirit of innovation perceptible in modern legislation, has had the hardihood hitherto to touch. The Sovereign, at the first meeting of Parliament after his or her accession, is bound to recite, in an audible manner, sitting on the Throne, that declaration; and we all know that our present Most Gracious Sovereign, sitting on the Throne, in the hearing of many whom I am now addressing, recited that declaration soon after Her accession to the Throne. I wish to ask whether Her Majesty's Attorney General will be pleased to state how far that famous Bill of Rights will hold good in this respect to bind the Sovereign, when this measure of the hon. and learned Member for Kinsale has repealed, as it now proposes to do, the whole of the Act in which that declaration was included? And whether anything will remain for the Bill of Rights to work upon, so far as that declaration is concerned, which it imposes on the Sovereign; and which I trust the House will recollect is a national testimony borne against the Roman Catholic religion by the first magistrate of the State—as a republican would call it, but, as I say, by our Most Gracious Sovereign; and being a declaration of principles enforced as one essential condition of the occupation of the Throne—the principles on which the House of Brunswick has been called to the Throne? If the Throne be not occupied by them as Protestants, prepared to maintain the doctrines of Protestantism; prepared to maintain not merely the doctrines of Protestantism, but of that peculiar form of Protestantism which is professed by the Church of England, I, for one, know not what right they have to the Throne. Every one who hears me knows that they are a younger branch of the Royal Family of England who were selected for the Throne because they were Protestants, and on the express condition of making this declaration. That declaration is a national protest against the Roman Catholic Church, essentially interwoven with the Constitution; and I contend that it is intended to be and ought to be held inviolable. But this, I say, is risked by the Bill of the hon. and learned Member; for the hon. and learned Member repeals the whole of the statute in which this declaration is included, leaving, indeed, the Bill of Rights, but leaving it so that no declaration, as I apprehend, will be required of the Sovereign. At any rate, until the law officers of the Crown tell me that this supposition is unfounded, which to me appears to be the plain, simple, and obvious inference, I shall continue to believe that, in this matter, a question has been raised which is not wholly unworthy the attention of the House and the law officers of the Crown. The words of the statute imposing the declaration are these —and they are the words of the Bill of Rights, let it be remembered:—

> "And that every King and Queen of this Realm who, at any time hereafter, shall come to and succeed in the Imperial Crown of this kingdom, shall, on the first day of the meeting of the First Parliament next, after His or Her coming to the Crown, sitting on His or Her Throne in the House of Peers, in the presence of the Lords and Commons therein assembled, or at His or Her Coronation, before such person or persons who shall administer the Coronation Oath to Him or Her, at the time of His or Her taking the said Oath (which shall first happen)"—

and, as we know, the meeting of Parliament after the accession having first happened, Her Most Gracious Majesty had taken the declaration—

> "then make, subscribe, and audibly repeat the declaration mentioned in the Statute made in the 30th year of the reign of King Charles the Second, entitled an 'Act for the more effectually preserving the King's Person and Government by disabling Papists from sitting in either House of Parliament.'"

If the statute which enacts the declaration which the Bill of Rights provided that the Sovereigns of this country should repeat on the Throne at the beginning of each reign, is to be bodily repealed by this Bill, then I ask whether the Bill does not shake that security which the nation possesses in this declaration, that so long as the House of Brunswick shall reign in this country it shall remain Protestant? The words of the declaration itself I need not read; but according to the statute it has been subscribed by perhaps 300 Members of this House; and without reviving the discussion as to the propriety of repealing that declaration, so far as Members of either House of Parliament are concerned, this at least I must say, that that which the deliberate wisdom of Parliament in the year 1829 continued to require from the Sovereign, should not be endangered by any proceeding under the Bill of the hon. and learned Gentleman the Member for Kinsale. I feel that there are strong objections to the Bill, even after all the Amendments in it which the hon. and learned Gentleman has felt himself at liberty to make. I stated on a former occasion—and I am now ready to repeat—that the Bill is an improvement on the Bill of last year. But I still consider that much of the present Bill is either needless or objectionable and dangerous. I told the hon. and learned Gentleman, on a former occasion, that the first Act which he proposes to repeal, has been already repealed by the Roman Catholic Disabilities Act of last Session, so far as making it punishable to maintain the Papal supremacy. I have also told the hon. and learned Gentleman, without meaning to convey anything personally offensive, that his historical research was very inferior to his legal acquirements; and it appears that the hon. and learned Gentleman, even with the assistance of my hon. and learned Friend the Member for Winchester (Mr. B. Escott), could only produce one solitary instance of a punishment under the Act, that instance having occurred two hundred and sixty years ago. I have already told the hon. and learned Gentleman—and I now repeat the statement, as he has not thought proper to endeavour to remove the objection—I have told him, and now repeat, that his Bill, with all its—I do not mean to use the words offensively —with all its pretended liberality, cares for no parties except Roman Catholics, and leaves the case of other sects untouched. Such terms as these—"So far as the same relates to Roman Catholics"—are constantly recurring in this Bill. I am not prepared to deny that there may not be provisions in the Statute-book which ought to be in part, at least, repealed at the present time; but such statutes, if there be any such, can be brought under the consideration of the House in a separate Bill, unmixed with much that is positively detrimental, and much that is absolutely nugatory. I say this not on my own authority only, but on much higher authority. Professional friends of mine have examined this Bill, and think it possible that there may be certain provisions in existing statutes which may admit, not disadvantageously, of some revision. I give that, however, rather as the opinion of professional gentlemen than as my own, inasmuch as I cannot profess to speak confidently upon such a point. But I do speak confidently in respect to the point to which I have already called the attention of Her Majesty's Attorney General and of the House; and I repeat that that point is one which requires our special attention. I have stated that I consider the present Bill as one of a series of aggressive measures upon the Protestant Establishment. If I shall feel myself obliged to use language towards the Church of Rome which may give pain to any individual Member, I can truly say that I regret the necessity which compels me to do so; for in the course of my life—and I am now no longer young—it has been my happiness to know, in the House of Commons and out of it, many members of that Church, to whom, irrespective of any other considerations, on private grounds alone, I should deeply regret to give pain. But I cannot, in the discharge of a public duty, which I regard as imperative upon me, refrain from making, even in their presence, statements which I believe to be not only true, but necessary. I regard the Church of Rome as having been, for three centuries, the inexorable and ununchangeable enemy of Protestantism in Europe; and especially in this country the unchangeable foe of the Church of England. I say unchangeable, because I challenge any individual who is either himself a member of that Church, or who, like the hon. Member for Kinsale in this House, ably represents its interests, to contest this point with me—that, as far as its hostility to Protestantism is concerned, the Church of Rome has not changed one jot nor one tittle for the last three centuries; and although I believe that there have been moments in the history of Europe in which the pretensions of the Church of Rome have been allowed conveniently to sleep, there has never been a day in which those pretensions have been either publicly denied by that Church, or in any degree qualified. I say there have been times when its pretensions have been allowed conveniently to sleep; and I ask those who —good, easy men—in 1829 held that the danger to be apprehended from the Church of Rome existed only in the fanatical imagination of some wild Protestants, whether there have not been witnessed, during the last fifty years, scenes in which the pretensions of the Church of Rome have been proved to be as vigorous as ever, and as practical as ever? I ask the hon. and learned Member whether, in 1783, it would have been conceived possible that any Pope would have dreamt of absolving the subjects of France from their allegiance to the reigning monarch, and transferring that allegiance to another. Could more have been done in the sixteenth century? In the sixteenth century it was done; and Pope Pius the Fifth, who absolved the subjects of the English Sovereign from their allegiance, has been canonized by the Church of Rome; and though Roman Catholic sovereigns have frequently caused those parts of the service relating to St. Pius to be withdrawn from the breviaries in their dominions, the saint's name has again re-appeared at a convenient season. I have referred to evidence on this subject, partly in my own possession and partly elsewhere, extending from 1783 to 1810, and, again, from 1810 to last year, and I find that the services both of Pius the 5th and Gregory the 7th appear at this day, in the reviving strength and energy of the Church of Rome, in the breviaries; and until some evidence shall be given far more important than the declaration of hon. Members of this House that the Church of Rome is curbed, and is no longer a lion but a lamb—till that shall take place, I shall believe the evidence of my own eyes, and think that they have not renounced the claims thundered formerly from the Vatican by Pius the 5th, and Gregory the 7th; but that they have at this moment the same arms in their arsenal ready to be exerted on any occasion convenient to Rome. In 1801, the year after he had absolved the French subjects from their allegiance to their sovereign, the Pope dismissed from their sees no less than 100 bishops who would not join him in recognising that sovereign. The very Pope who has been considered by every Englishman as a model, and whose courtesy to the English at Rome has made him the subject of their just gratitude, has never made any alteration in the rules adopted by his predecessors regarding the liberty and independence of any other Church. I cannot consider it unworthy of notice that this most liberal Pope has not yet withdrawn his prohibition which prevents Englishmen from having any place of worship within his eternal city. At this moment can it be denied by any member of the Church of Rome, or any of its advocates, that the order of Jesuits, which order it was the especial object of the Legislature in 1829 to check and finally suppress in this country, is at this moment creating as much civil disturbance in other parts of Europe as two centuries ago. Can we forget their conduct in France, in Switzerland, and in Germany? [Lord J. MANNERS: Hear!] I hear an ominous cheer from the noble Lord with whom it is my misfortune to differ on this occasion; but does he mean to deny that the Jesuits, as such—I will take no less than this—that the Jesuits, as such, have been denounced as the disturbers of the public peace in France, in Switzerland, and in Belgium? In Belgium does any one forget what the Jesuits have done and are doing with respect to the University of Louvain? Does any one forget how the Jesuits have gained that kingdom almost to themselves against, be it remembered, the episcopacy of the Church of Rome? And yet it is this order of men which the Bill of the hon. and learned Member proposes to legalize in this country, when it was the express object of the Legislature in 1829 here at least to suppress that order. There is another point which renders this subject at all times interesting to our Church, particularly so at the present moment, and makes this the most unfitting time to grant further concessions. At this moment in Germany, in France, and even in England, the Church of Rome is interposing new obstacles to the peace of civil society by its conduct with respect to mixed marriages; and however conscientious the objections involved in their doctrine on the subject may be, this at least is clear, that the sympathy of the liberals is a thing which *à priori* could not have been anticipated. I may observe that the very Pope who made the concordat with Bonaparte — as if the Church of Rome, in his person at least, should never lose its right in this respect —proceeded in 1809 to excommunicate the very prince with whom he had made the concordat, then ruler of France. These facts have been recently brought forward in a work of Dr. Wordsworth, which is well worthy the attention of the House. I know there are those who regard the real danger to the Church of England—I cannot say the danger to Protestantism—to arise, not from the Church of Rome, but from those of an opposite extreme in religion. To me, this opinion appears not only founded on error in judgment, but to be productive of extreme danger, in fact. It carries us off to defend a post not attacked; while it leaves open the gates to a numerous, formidable, and united foe. Such I believe the Church of Rome to be. Under such circumstances, I will not deny myself the gratification of repeating that to Protestantism as such—not being negative, because it is not, but the testimony of faithful men to the great truths they find in the Bible—I am so much attached, that though I prefer that particular form of Protestantism which is at once the shrine, the bulwark, and the glory of England, I will deliberately say that I prefer any sect of men holding the doctrines of the Bible, and carrying the Bible in their hands—that is, the authorized version, and not any improved version used by those who deny the divinity of our blessed Lord—to those who withhold the Scriptures altogether. But it is not necessary for my present purpose that I should take my stand on that ground. I regard this, as I have already said, as one of the many measures which, in the course of the last 50 years, have been advanced for the purpose of extinguishing, if possible, or at all events degrading, the established religion of this country, and Protestantism in general. Regarding this Bill as one of these measures, I feel it my duty distinctly and permanently to oppose it. I will not consent to any further concession. I look at foreign countries, and I see that there is no foreign country governed by a Roman Catholic sovereign, with the exception of Belgium, which will admit the order of Jesuits under such circumstances as the hon. and learned Member proposes to admit them. I look at Rome, and its influence on civil society wherever it exists; and I see that nothing has hitherto satisfied that Church, and I believe nothing will satisfy it, which is consistent with the maintenance of the Church of England in its present position, and, I am compelled to add, with the existence of Protestantism. Under these circumstances, I call on the noble Lord, the leader of this House, not to forget the dying words of his immortal ancestor—words which, uttered at such a time, and by such a man, may be regarded almost as prophetic, "to resist the progress of Popery." That resistance was one of the great objects of his life; and while I admit that many wise and good men have felt it not inconsistent with their duty, or even with their professed regard for the interests of the Church of England and Protestantism, to remove certain of the disabilities which have hitherto pressed on the Roman Catholics, I call on my noble Friend the Prime Minister of England to act in the spirit of his illustrious ancestor, and resist any further measures which have for their object and tendency that which I believe to be equally included in this Bill—namely, the degradation of the Church of England, the humiliation of Protestantism, and the final ascendancy of the Church of Rome. Under these circumstances I feel I should not be doing my duty if I did not move that this Bill be committed this day six months.

The EARL of ARUNDEL and SURREY: I trust I shall be allowed to trespass on the time of the House for a few minutes on a subject which no doubt has engaged the attention of every thinking man in this country, and which particularly interests me; as, though there is no more loyal subject of Her Majesty, I am one of those who acknowledge the spiritual authority of the Church of Rome. I shall not venture on the question of the merits or demerits of any particular class of the clergy of the Church of Rome. I shall take my stand on the necessity of some such measure as this to the general religious freedom of the empire. I shall endeavour—and I hope I shall succeed—to state my views without hurting the feelings of any one who may differ in opinion from me. The Church of Rome has been accused by many hon. Members of persecution. I am not prepared to deny that many members of that Church have been guilty of persecution. But I may be allowed to observe that each of those acts of persecution should be estimated according to the spirit and temper of the times in which they occurred; and I may point to the Old Testament as containing much that may appear to authorize the persecution and extermination of those belonging to unhallowed creeds, The passages I refer to are, of course, familiar to hon. Members—those which relate to the conduct of the Israelites as to those who did not belong to the "chosen people," and impeded their progress towards the land of promise. For some centuries previous to the sixteenth century, I need not remind hon. Members, the whole of Western Europe was of one faith, with such trifling exceptions that they are hardly worth mentioning. The Arian heresy, and others, had formerly made considerable progress, but speaking generally, the fact was so at the period to which I refer; but in the sixteenth century the whole relations of society were overturned and upset by the general rise of the Reformation. Many heresies then sprung up, and many have continued to this day. And here allow me to point out a sensible distinction which the Church makes between a heretic and the members of a heresy. A heretic is one who, having once belonged to the Catholic religion, himself disputes its dogmas, and stands up for a different profession of faith. But a heresy once founded, the members of it are not considered guilty in the same degree, if at all, nor are they looked upon as deserving the same punishments, or as exposed to the same penalties. There are belonging to all the heresies which have come down to the present day, men, I do not hesitate to say, of the utmost sincerity and of the greatest virtue; and who, in my belief, if the Catholic faith had been properly submitted to them, would have embraced it. With such men it is impossible that any other means of conversion should be used than that mode of teaching which the apostles sanctioned in promulgating the gospel. The evil of any other mode is pointed out by the occurrences which took place in France in the time of Louis XIV., when he sent forth his dragoons to force the Protestants into submission. The bold refused to accept the proffered faith, and were slaughtered in the field; the timid accepted the State form of worship, and were nominally Catholics. But the repressed opinions continued under the surface of society, until a wider ulcer was formed, and the disastrous events of the end of the last century were the consequence. France is now labouring under the effects of the illegitimate repression of religious opinion. I therefore argue, that it is wrong and impossible to control men's minds by force, or to throw any restrictions in the way of the profession of any creed, other than by the legitimate means of persuasion and explanation. My hon. Friend who has just sat down says that the Church of Rome is antagonistic to Protestantism. I quite agree with him; it is antagonistic, and will be while the world lasts, until Protestantism is extinguished. I remember a somewhat striking incident which occurred to myself, and which may serve to illustrate my meaning. When travelling in Greece, about ten years ago, I was guided to an ancient temple ten miles east of Marathon. I there found a stranger who had passed some days in studying the ruins: he was a Mexican of Spanish blood. Looking at this temple, thousands of years old, considering that in its immediate neighbourhood the Persian force had been repelled by those whose descendants had been since conquered, and who had groaned under the Ottoman power, many suggestions forced themselves on the mind; and when reflecting that there stood near me a Mexican descendant of the few brave Spaniards who had overturned the throne of Montezuma, and who ruled for a long period the continent which they subdued—looking back on the whole face of empires which had vanished away—of religions which were forgotten, or remembered in poetry alone—observing that Catholics, Greeks, and Protestants were represented before that temple—I could not help asking myself which of the religions, Catholic or Protestant, was to stand to the last hour; and faith has led my feeble and untutored mind to the same conclusion as that to which the grasping intellect and great historic learning of the right hon. Gentleman the Member for Edinburgh has arrived; and in the long vista of forthcoming ages, I see, with him, the "stranger from New Zealand in the midst of a vast solitude, sitting on a broken arch of London Bridge to sketch the ruins of St. Paul's;" and in that distant hour, following his prophecy, I see the successor of St. Peter, exercising in the full plenitude of his power those spiritual gifts which were bestowed upon the Prince of the Apostles by the Son of Jehovah, and of a lowly Hebrew virgin. I will never relinquish one iota as to the superiority of my Church, for I am persuaded that our descendants will see the Catholic faith triumphant after England itself has psssed away and been forgotten. I shall, of course, give my support to the Bill of my hon. and learned Friend.

MR. PLUMPTRE said, the noble Lord had told the House plainly—and he did not blame him for speaking what he felt to be the honest truth—that a contest was going on by Popery against Protestantism, and that it would go on until Protestantism itself became extinct. That was the noble Lord's assertion. As far as the noble Lord was concerned, that was his intention, and as far as the noble Lord was a representative of the Church of Rome, that was the intention of his Church; and this Bill was only part and parcel of that contest. The noble Lord had spoken out very plainly, and he thanked him for it. What the Protestants lamented was, that they knew not where to find their enemies; they might be bold to-day, when it suited their purpose; but to-morrow, when it might not be so convenient to them — when they might be met by a superior power, they might hold their peace; but the noble Lord, as an honest man and an open antagonist, had told them plainly what was the purpose of his Church; his language was plain and intelligible, and the Protestants of this country were prepared to meet it by entirely opposite language. He agreed with the hon. Baronet the Member for the University of Oxford, that nothing was more painful to him individually than to be obliged, in taking part on this subject, to say anything objectionable to any of those hon. Members of the Church of Rome who might be present. Nothing could be further from his wish than to say anything that might inflict pain upon the feelings of others; but they must not refrain from speaking the truth because they might hurt the feelings of others; and when the contest was plainly, and honestly, and fairly declared to be the contest of one Church against another, it would hardly become those who were interested on the side of Protestantism to be silent when they heard language such as that which was uttered by the noble Lord. They were prepared to oppose this measure, because they thought it was part of that system which the noble Lord told them was decidedly being carried forward by his Church against Protestantism. The Protestants were alive to this subject—they could not help seeing what had been going on on the part of Popery in this country of late years. Before the Bill of 1829 was passed, they were told by the Roman Catholics, "Grant us this Bill to remove our civil disabilities; we will be thankful to you, and you will receive no further trouble from us;" but from what they had seen of the acts of the Church of Rome since that time, could they say that the Roman Catholics were pacified by that measure? He believed that reflecting men were of opinion that the Catholics would be anything but satisfied with it. He believed, and he thought his expectation had been verified, that it would be a bonus for further agitation. And now they were told plainly that the contest was going on, and should go on, until Protestantism was extinct, and Popery was reascendant. That was the language of the noble Lord, who, he supposed, might be looked upon as a fair representative of the Church of Rome. But they who differed in opinion from the noble Lord, entertaining for him as an estimable man every feeling of respect, were determined to maintain that contest so far as they had strength and power. They believed that there was a steady and increasing feeling in this country upon the subject; and they would meet their opponents face to face in that contest, and would do all in their power to stand forward for Protestantism, and for the cause of truth. He was not afraid that the Church of Rome might create, as in times past, great trouble, much unhappiness and misery; she might become a persecuting Church, and the noble Lord seemed to think that there was some justification for her being so. The noble Lord quoted Scripture to show it. The noble Lord certainly did allude to the Old Testament—he did not go with the noble Lord — he thought the noble Lord's argument was very weak and inconclusive; but the noble Lord did refer to the Old Testament; and, if he understood him, the noble Lord looked upon the permission given to the Israelites to exterminate the nations that stood between them and the promised land as justifying the acts, the ancient acts, of the Church of Rome. He said, that the Church of Rome might be carrying on that contest, and might be disposed, when she thought it convenient, and found that she had the power to do so, to become a persecuting Church. She might be disposed to give this country and others, in proportion as she regained power, trouble, and such as might lead to great misery; but when the noble Lord spoke as the result of the contest that Protestantism was to become extinct under the foot of the Church of Rome, he was not afraid of such a result. He was satisfied that Protestantism was founded on a rock. He only shrank from and deprecated the struggle which the Church of Rome was promoting, and which hon. Members not of that Church were in their measures promoting, by advocating such a Bill as that now before the House; he took no part in such a measure—it was only parcel of that contest which was to be carried on against Protestantism unto the end, and on that ground he should oppose it.

Lord H. VANE said, the hon. Member who had last addressed the House, seemed, to have wandered widely from the subject. If any one were to read the Bill, with the Amendments now proposed by the hon. Member for Kinsale, he could not see how it was possible to take such a course in the debate. He considered the hon. Member who had just sat down had misrepresented, or at least misunderstood, the observations which had fallen from the noble Lord (Lord Arundel), though he must at the same time observe that the sentiments which that noble Lord had uttered were not his. He did not think that the Church of Rome would succeed over the Protestant Church, nor that they both would become one. This, he was persuaded, was also the opinion of the great body of the people of this country. Still he thought the hon. Member (Mr. Plumptre) had misunderstood the argument employed by his noble Friend. The hon. Member had alleged that the noble Lord supported persecution, because he had referred to certain passages in the Old Testament, which authorized the Jewish people to sweep other nations out of their path, and that therefore the Roman Catholics might again feel themselves justified in adopting a system of persecution for the propagation of their faith. Now what he understood his noble Friend to say was, to judge of persecution, you must look to the prevalent opinions of the period, and that in bygone days persecution generally prevailed and pervaded the conduct of all religious sects and opinions. Toleration, in fact, had not been understood or practised till within the last century and a half. But his noble Friend abjured persecution now, and only expected that by the prevalence of opinion his Church would become triumphant. He, however, was of a totally different opinion. The Bill, said the hon. Member for Kent (Mr. Plumptre), would change the whole character of the population. The hon. Member objected to it, because it would unprotestantise the country. In support of that opinion, the hon. Member had given no reasons, had advanced no arguments; but he considered it would do so. The hon. Member for Oxford had also referred to the danger of permitting Jesuits to come into the country, calling the attention of the House to the proceedings of that body abroad during the last fifty years. He deduced from that great danger to the Protestant faith. Now he would observe, that at present Jesuits did come into the country, though the Catholic Emancipation Act expressly forbad them. Practically the law was of no effect: the spirit of the age was against penal enactments on account of religious belief. The Bill as amended, by its provisions for the registration of all those belonging to monastic orders, would be quite sufficient for all useful purposes. Things would remain just as they were at present, only that this Bill would abolish an odious distinction, and remove what the Catholics felt to be a stigma. Although the hon. Gentleman (Mr. Plumptre) might not think it desirable to conciliate the Roman Catholics, and though the hon. Baronet (Sir R. Inglis) might be of opinion that conciliation had already gone too far, still he was persuaded that great benefit would result from making our legislation more in harmony with our institutions. He could not see what object was gained by having on the Statute-book laws which could not be enforced, and which those who supported them shrunk from bringing into operation. The hon. Baronet had objected to the repeal of the 30th Charles II., on the ground that it would affect the Bill of Rights. If that really were so, nothing could be more easy than to introduce a clause into the present Bill, declaring that the Bill of Rights should not be affected by it. This would obviate at once the difficulty. He had been induced to rise and take part in the debate, because of the unfortunate turn which it had assumed. That House was a place, least of all places, for theological discussions, and they should avoid all such allusions in their discussions. The whole—the real—question they had to consider, was the removal of certain civil disabilities which the Bill proposed. This Bill had been modified to meet the views of several hon. Members, and especially of the right hon. Baronet the Member for Tamworth. He was quite free to confess that the public exhibition of processions through the streets of a manufacturing town especially, might to many persons prove a stumbling-block, and that the clauses, therefore, which authorized these processions through the different parts of England were inconsistent with the general character of the Bill itself. Believing this, he was sincerely rejoiced to hear a declaration to that effect from the hon. Member for Kilkenny, and rejoiced that that hon. Member had so decidedly expressed his opinion on the subject. But, as his hon. Friend had consented to remove this objection, he could not at all see that any danger whatever could arise to the Protestantism of this country from the passing of the Bill. The object of the Bill, as it appeared to him, was simply to obtain an equality of private position for the professors of the two religions; and by the expunging of the objectionable clauses, the only danger that could have been apprehended had been averted.

MR. SPOONER said, if the hon. Member for Kent had misapprehended the noble Lord opposite (Earl of Arundel and Surrey) he (Mr. Spooner) shared in that misapprehension, as, he believed, did also many of the Members sitting around him. The noble Lord was understood to say, that he deprecated persecution. No one, for a moment, would suppose that the noble Lord would do otherwise. But having deprecated persecution, the noble Lord came in with a saving clause, and stated that he thought he could bring something from the *Old Testament* in favour of persecution.

MR. SHEIL: He said no such thing.

The EARL of ARUNDEL and SURREY was sorry to obtrude again upon the House. What he had said was, that there were passages in the *Old Testament* which might, in the times to which he had referred, have given rise to the impression that persecution was allowed. He did not say that there was anything that could justify persecution. He had never for a moment advocated anything but the most unrestricted freedom of conscience, and he never dreamt of any contest between the two Churches, otherwise than by legitimate explanation and discussion; and it was by that means he trusted the result that he anticipated would ultimately arrive.

MR. SPOONER rejoiced that he had given the noble Lord an opportunity of more fully explaining his views; but the expressions he had used, in his opinion, justified the remarks of the hon. Member for Kent, and did not convey to his mind the opinions the noble Lord had now stated. He begged to say that he did not think the expressions referred to in the *Old Testament* could in any times justify persecution. He did not mean to say any thing hurtful to the feelings of any individual, as he, with his hon. Friend the Member for the University of Oxford, sincerely respected many individuals who professed the Roman Catholic faith. He was on terms of intimacy and friendship with many Roman Catholics; he respected their private characters, knowing their intrinsic worth, and being a daily spectator of their charity and benevolence; but no feelings of respect would hinder him from expressing what he believed it to be the duty of every Protestant Member of that House to express. If any of his remarks should give offence, he could only say that offence was not intended by him. He referred to the peculiar commission given to the Jewish nation to exterminate idolaters and idolatry. [MR. ESCOTT: Oh, oh!] The hon. Member for Winchester might dissent; but these were his opinions and principles, and they were those of every honest and true Protestant; and it was his conviction that a great deal of that which savoured of idolatry was mixed up with the forms and ceremonies of the Roman Catholic religion. [*Cries of* "Oh!"] He was aware that these views might not be quite pleasant to many persons: but that man was not a true Protestant who shrunk from avowing them. The speech of the noble Lord had, in his opinion, given a peculiar character to the debate. He had said that he anticipated the final extinction of Protestantism in this kingdom. The hon. Member for Kinsale had made an appeal to the right hon. Gentleman the Attorney General, with regard to certain provisions of the Bill, and he looked to the right hon. Gentleman's answer with some anxiety. He thought many clauses of the Bill were objectionable; but there was one of them still more so than any other—it was that which went to legalize the introduction of bulls into this country; he had, on a former occasion, stated that he had no objection to the repeal of the penalties which were attached to their introduction; but there was a great difference between removing the penalties against the introduction of these bulls, and making the introduction legal. The effect would be to acknowledge a power over the religious opinions of the people of this country which the constitution denied. The Sovereign of this country was the constituted authority at the head of the Church, and any measure acknowledging a competing authority was unconstitutional. If he understood the principle of the constitution at all, it was that it was essentially Protestant—that the country must have for ever a Protestant Sovereign—that the Sovereign alone constituted the head of the Church—and that any authority admitted to come into collision with the authority of the Sovereign was unconstitutional, and to admit such authority was an act which the House of Commons had no right to sanction. The hon. Member then referred to a publication which had been lately put into his hands, and which had been found by a father among the books of his son. It was entitled *The Consolation and Encouragement of Souls,* and in which he found this passage:—"He who obeys his director is free from responsibility to God for what he has done." If that was not an unprotestant principle, he did not know what was. By legalizing bulls, they legalized a doctrine which told the son that he owed no duty or obligation to his father or his sovereign; would they give authority to such doctrine? If so, what protection had they? A man who held that doctrine felt himself absolved from all individual responsibility. The mandate of a priest would override considerations of parental authority, of what was due to his sovereign, and his country. Nor must it be alleged that this obligation to obey was confined to the "forms and ceremonies of religion." The power of the priest was unlimited; and what would stop the person who was imbued with the principle he had quoted from committing murder or treason? To such a man the Bible was a mere dead letter. If the priest were to tell such a man that the consequences of any given act, however sinful, if done by the authority of the priest, would rest upon the priest and not upon him, and he believed him, he might sin in peace and comfort. Such priestcraft was subversive of the liberty of conscience and the Protestant right of private judgment. The noble Lord said that the Roman Catholic Church would rely upon theological learning only, in her contests with other Churches; but how did his assertion square with the principle above inculcated? Was there free play for theological argument where such a principle was recognised? The man who held it was in fact prohibited from thinking for himself, by being told that, if he did, he incurred a responsibility; but that if he left the priest to think for him, he was safe. What became then of the argument of the noble Lord, that the extinction of Protestantism was to be the result of argument, which his Church forbad, and of learning, when the contents of the wisest book were sealed?—when they were told that the word of God was not sufficient in itself to make men wise unto salvation, but, as by the Jews of old, that word was made void by their traditions? It was his firm conviction that the Bill was looked to with intense anxiety on the part of the Roman Catholic Church, and that it would be hailed by them as another step in abandonment of the line of protection drawn by the Bill of 1829. He was one of those who had been willing to make the concession of 1829; but if that discussion were to come over again, nothing would induce him to give his consent to such a Bill. If the extinction of Protestantism had been talked of that time, as it was at present, would Parliament ever have consented to pass that Bill? Would the noble Lord have ventured to have made such a speech while the Bill of 1829 was under discussion? There was an argument used by Mr. Canning, in favour of Catholic Emancipation, which appeared to him at that time perfectly unanswerable. It was, that the respect for the sanctity of an oath which had prevented the Catholics from entering the House, would also prevent them from breaking it when once within that House. That anticipation, he was sorry to say, had not been realized; for though the noble Lord was one of the bright examples who had adhered to the letter and spirit of that oath, there were others who had not done so. The members of the Roman Catholic persuasion had disclaimed upon oath any desire to meddle with the temporalities of the Irish Church. Let the House look to the evidence given on oath before the House of Lords previous to the Bill of 1829, and compare that with the subsequent conduct of Roman Catholic Members of Parliament, on the misappropriation of the revenues of the Irish Church, and then let them tell him whether Mr. Canning had not been too sanguine in his expectations. The Protestants had reason to be fatally convinced that in consenting to that Act they had committed a great mistake. Let it be known that the extinction of Protestantism was the object which the Roman Catholics had in view—its extinction, whether by force, stratagem, or conviction—let but that be proclaimed throughout the British realm, and they would see what would be the echo of the Protestant people of England.

Mr. SHEIL: The hon. Gentleman the Member for Birmingham (Mr. Spooner) has stated that he was intimately acquainted with many highly respectable Roman Catholics, for whom he entertained great esteem and regard. If he were to avail himself of his familiarity with the individuals to whom he has alluded, and inquire from them whether they entertain the opinions which he has unhesitatingly attributed to the entire Roman Catholic community, he would, I make no doubt, receive from them the most earnest assurances that such sentiments were most wrongfully imputed to them. There prevails a most unjust and unjustifiable habit in this country of charging Roman Catholics with dogmas which they most sincerely and most strenuously repudiate. My noble Friend (the Earl of Arundel and Surrey), in the course of this debate, gave utterance to a sentiment which has been strangely misrepresented. He believes in the truth of his religion, and that truth will in its greatness ultimately prevail; but at the same time that he candidly expressed this honest conviction upon his part, he also declared himself to be the advocate of unrestricted liberty of conscience, and deprecated the intolerance with which he has been so eagerly charged. Protestants ought not to exhibit so much sensitiveness with regard to their religion, when they consider the language which is commonly employed in reference to the Roman Catholic Church. You make little difficulty in calling us idolaters, and in attributing to us errors which involve, in your opinion, everlasting perdition. But if we venture to retort, or commit the slightest retaliatory aggression upon your faith, you give way to resentment, and denounce what you please to designate as our intolerance in unmeasured condemnation. I pass from these general observations to the more immediate subject of discussion. My hon. Friend the Member for Kinsale invites the House to repeal a series of enactments against Roman Catholics, which have no practical operation, but which are most offensive to a great and unoffending community. The laws with respect to religious orders are contumelious; but, excepting for the purpose of contumely, they are wholly without avail. Those laws are outrages to common justice and to common sense. A regular who takes the vows, or assists in imposing the vows of his order, may be transported. The celebrated Dr. Doyle was an Augustinian friar; Father Mathew is a Carmelite; Dr. Doyle was the first man who had the boldness to advocate a poor law for Ireland—to insist that the peasant had as good a right to his life, as the landlord to his estate; and to maintain the great axiom that on both sides of the Irish Channel the prerogatives of poverty should be the same. He may be justly designated as the evangelist of charity, as Father Mathew is so appropriately called the Apostle of Temperance; yet under the laws which my hon. Friend proposes to repeal, Dr. Doyle might have sent to teach mercy in Van Diemen's Land, and Father Mathew, if convicted of being a Carmelite, might be commissioned to prescribe the injunctions of temperance in New South Wales. But I may be told that whatever indulgence might be extended to Carmelites and Augustinians, no forbearance should be shown to a Jesuit; and that the statutes which have been enacted against the famous Society of Jesus ought never to be repealed. "Jesuit" is, I am aware, a word of fear—we mean the Gunpowder Plot—a vague indefinite apprehension has been entertained for a Jesuit. But this dread is an idle one—it should be classed with the puerilities of fear; and it is of your early prejudices, and not of Jesuits, that you ought to be most afraid. It is true that the Jesuits have been the objects of frequent and strong accusation; but their greatest enemies have been the antagonists of Christianity itself. It should be borne in mind, too, by those who conceive that they are not wholly blameless, that their merits should be weighed against any faults which they may have committed; the achievements of Xavier ought to preponderate over the imputed casuistry of Escobar. Enter the college of the Jesuits in Rome ; as you walk along the picture gallery in which the portraits of the most eminent men by whose talent and whose virtues the Society of Jesus is advanced, you may observe on many a countenance the wile of statesmanship too deeply signified; but you will also see many a noble forehead bound with a red fillet—the type of martyrdom, in which so many of those enthusiastic and indefatigable propagators of the Christian religion heroically died. But if I were to grant that many of the charges preferred against the Jesuits of a remote period were well founded, I should most strenuously insist that the modern Jesuits, as they are constituted in Ireland, are innocent of any of the habits of habitual intrigue, so often adduced against their order. I never saw a Jesuit in the Catholic Association. I do not believe that a Jesuit has ever attended a repeal meeting. They totally abstain in Ireland from all political interference; they neither unite nor speak on political subjects. In the agitation which has prevailed in Ireland for so many years, they have taken no part; and yet if any Attorney General was sufficiently preposterous to prosecute the superior of Clongowes College, and were unfortunate enough to obtain a conviction, that respectable gentleman might be placed on board a hulk, and associated with the worst malefactors in the country, in their involuntary migration to the hemisphere opposite our own. But to no Attorney General would a project so absurd present itself: the laws are utterly ineffective; intolerance shows its teeth, but they are too loose to bite. The Dominican and the Franciscan, and the Carmelite, and the Augustinian laugh—the Jesuit smiles at them. I may be asked, why it is that I am anxious for their repeal, if they are particularly harmless? I seek their repeal, because they are offensive to the Catholic Church, of which the religious orders are the appurtenances. The Catholics of Ireland look upon these laws as memorials of insult, and call for their erasure from the Statute-book. You should yield to that strong sentiment of the Irish people, where no object of real usefulness can be obtained by the retention of these odious laws. They are not a safeguard of your Church or of your religion. After the Protestant close boroughs of Ireland, and the Protestant corporations of Ireland, have been transferred to the people, it would be ridiculous to call the laws against Jesuits a protection to the Protestant interests. I trust, therefore, that this Bill will be allowed to go into Committee, although I think that there are matters omitted in it, which my hon. Friend ought to have taken care to insert : while he seeks to accomplish the repeal of laws which are not, it must be acknowledged, a practical grievance, he has left the law by which Catholics are excluded from the Chancellorship of Ireland untouched and unnoticed. For that exclusion there is not only no reason, but there is no pretence. If the Irish Chancellor had any church patronage, it might be urged that a Catholic was unfit to administer the office to which that trust was attached; but the Irish and English Chancellorship differ essentially in this particular. The Lord Chancellor of Ireland has not a single living in his gift. The exclusion of Roman Catholics from the first prize in the profession, is a real and a grievous wrong. Since Catholic emancipation was carried, four Catholics have reached the bench—Sir Michael O'Loghlin, the late Master of the Rolls; Chief Baron Woulfe; Chief Baron Pigot; and Judge Ball. My Friend the present Solicitor General is at the head of his profession : he will naturally succeed to the office of Attorney General. Is it not, then, a practical injustice that Roman Catholics, no matter how great may be their legal acquirements, should be rendered incapable of the highest judicial honour ? A Roman Catholic can, by law, become Chief Justice of the Queen's Bench, and preside at a State Trial; and he is deemed unfit to decide whether a mortgage should be foreclosed, or to issue an injunction to stay waste. The New Poor Law has accumulated the reasons which should determine the Legislature to put an end to this odious religious disqualification. Under the New Poor Law, the *ex-officio* guardians must be selected from the magistracy which the Lord Chancellor appoints. The great mass of the poor are Roman Catholics; and yet the public functionary in whom the nomination of magistrates rests, must profess the Protestant religion. I repeat it—there is no pretence whatsoever for this penal law. The Lord Lieutenant of Ireland is the depositary of church patronage, and it might be legitimately alleged that he ought to be a Protestant: it might also be suggested (although I by no means concur in the opinion) that a Protestant Secretary for Ireland ought to be the adviser of the Lord Lieutenant, on questions where church patronage were concerned—(on those questions the advice of the Secretary need not be taken)—but that Protestantism should be a condition to the Chancellorship of Ireland is utterly absurd, and will not be supported except by those who seek to maintain distinctions from which they derive no sort of advantage, while they wound the feelings and affect the honourable pride of the great majority of the Irish people.

Mr. FINCH thought it was quite becoming in the last speaker, who was a Roman Catholic, to speak as he had done, and also the noble Lord (the Earl of Arundel and Surrey); but still he did not consider that either of them had adduced any adequate reason why the Bill should be passed. He, for one, very much doubted whether Parliament could give the same degree of toleration to the Roman Catholic Church that they were willing to give to other Churches. He looked upon toleration as the fundamental principle of his party, and he considered that nothing but the strongest grounds could justify them in deviating from that principle. He was, however, not prepared to go the length of saying that the religious orders of the Church of Rome should come under that principle, and that they should be permitted to have full and unlimited action. The Roman Catholics in Ireland had held very different language before their emancipation to that which they had indulged in subsequently; and if it had been shown that they would have been so clamorous for a repeal of the Union as they had proved themselves to be, he thought that such a fact would have greatly endangered the carrying of emancipation. He wished he could discover in the acts or documents emanating from Rome, anything that savoured of religious freedom. He, however, had not been able to discover, from the letters of the Pope of Rome, or from the Councils of the Roman Church, a single principle upon which toleration could be based. On the contrary, he saw everything that could characterize intolerance emanating from that country. He contended that the See of Rome was diametrically opposed to the spread of religious instruction. The principles of the Roman Catholic Church were totally hostile to the freedom enjoyed by this country. He felt persuaded that they would be conscientiously discharging their duty to their Sovereign, to their religion, and to their country, if they opposed the Bill.

Lord J. MANNERS, as one of those who had assisted in introducing this Bill, had listened with great attention to the speeches of those hon. Members who had opposed the measure; but he had not heard any argument advanced which convinced him of its impolicy. The hon. Members for Birmingham (Mr. Spooner), and for the University of Oxford (Sir R. Inglis), had devoted a large portion of their speeches to discussing the comparative merits of the Roman Catholic and the Protestant Churches. He could hardly conceive how the Bill which they were now discussing involved the question, whether the Church of England or the Church of Rome was the true Church. The question, as it appeared to him, which they had now to decide was, whether the differences which existed between those two Churches, justified them in putting down, by pains and penalties, the doctrines of the Church of Rome. And he could not bring himself to believe, in spite of all that had been said by his hon. Friend on the other side of the question, that the best way to promote the interests of the Church of England, was to continue those pains and penalties upon the professors of another form of Christianity. He should hold that opinion even if those pains and penalties were intended to be put into execution; but when they had it admitted even by the opponents of this Bill, that those pains and penalties were not to be enforced, then he was indeed astonished to hear their continuance advocated, for it was admitted that they were of no practical importance whatever. He had listened attentively with the view of discovering any reasons urged by the opponents of the measure, to show that the abolition of the pains and penalties to which he had alluded, would have a tendency to injure either the Church or the State of England; but he had heard nothing whatever to convince him that the slightest danger could be reasonably apprehended. His hon. Friend the Member for the University of Oxford had indeed begged the House to look at what was going on in France, and he extracted a cheer from them when he alluded to Switzerland; but he must remind his hon. Friend, that when he brought forward the case of Switzerland as an instance of what had resulted from the toleration of the Jesuits, he made a most unfortunate and unhappy allusion. Now what was the real state of the case as regarded the Jesuits in Switzerland? In some cantons of Switzerland the Jesuits were tolerated and fostered. A lawless and violent mob from a neighbouring canton invaded one of those cantons, and by force and arms put down the Jesuits. So that his hon. Friend came to the English House of Commons, and, alluding to a case in which a violent mob had invaded the territories of their peaceful neighbours, quoted it as an instance in which the Jesuits had disturbed the peace of Switzerland. A more unhappy argument was never on any occasion brought forward in that House. They had been told to look to France. His hon. Friend, and those hon. Gentlemen who had spoken on the same side of the question, had said, "See how M. Guizot, M. Michelet, M. Quinet, and the other writers on France, have put forth every argument with the view of exterminating the Jesuits and the other religious orders in France." Now he (Lord J. Manners) was not prepared on all occasions to profess his sympathy with the proceedings of the Jesuits; but he must say that he did not think that France had acted rightly in listening to the suggestions of her liberal and infidel writers with regard to her religious orders. He believed that in England a far better course than that recommended by the infidel and "philosophic" professors of France had been pursued by the people. He thought that if any sound Protestant Member of that House was intimately acquainted with the doctrinal systems professed by those parties, they would not willingly enter into an alliance with them for the purpose of putting down the religious orders of the Church of Rome. He believed that if the English Protestants generally knew the tendency of those men's opinions, they would hesitate very much before they acceded to the proposition laid down by his hon. Friend the Member for the University of Oxford, as to joining in one common league against the religious orders of the Church of Rome. His hon. Friend had appealed to all the Protestant Dissenters of England to back him and the Gentlemen who were united with him in opposition to this Bill; but he begged to tell his hon. Friend that the Protestant Dissenters of England must have very short memories indeed if they forgot that, throughout the whole of his long career in that House, he had been as consistent and determined an opponent to any concession to them, as he now was to this moderate concession that was asked on behalf of the members of the Church of Rome. His hon. Friend the Member for Birmingham had quoted a passage from a work of some Roman Catholic, and thereupon asked the House to reject this Bill. Having finished the quotation, he asked them whether they could reconcile the passage with the principles of our Protestant Constitution? No one could deny that differences existed between the Church of Rome and the Church of England; but that was not the question at issue. They had heard a great deal about "the safeguards of the Protestant Church," which were supposed to be introduced into the Bill of 1829. He regretted, as he was sure the House generally must regret, the absence on that occasion of the right hon. Baronet the Member for Tamworth (Sir R. Peel). That right hon. Gentleman had, on a previous occasion, said, that he felt it necessary to vindicate a substantial adherence to the settlement of 1829. Now, he could not for the life of him conceive how it was possible to show any "substantial adherence" to that settlement during the last twenty years. He challenged any hon. Gentleman in that House to point out one single instance in which these so-called "safeguards" had been acted upon. And if they were "safeguards to the Throne of our Sovereign," he wanted to know why it was that they had not been in force in one instance. Although there was not an hon. Gentleman in that House who had not, over and over again, witnessed the proceedings of the Church of Rome in different parts of this country—although there was not a single Gentleman in that House who had not heard of the religious orders of Stonyhurst, Mount Melleray, and St. Bernard—although there was not a single Gentleman in that House who did not know, that if on his own responsibility he were to call upon the legal advisers of Her Majesty to put the pains and penalties against those religious orders into force, they would refuse to do so; it was still argued that their maintenance was necessary for the security of the British Throne. But if those pains and penalties could not be enforced, he (Lord J. Manners) wished to know how they could in justice be called "the safeguards of our Constitution?" If they were to say that the profession of the Roman Catholic religion were dangerous to the State, subversive of the Throne, and injurious to the Church of England, they must not take their stand on these miserable, pettifogging penalties, which they themselves said they never intended to enforce; but they must at once set about re-enacting those laws which had been passed against the Roman Catholics, and revert to that system of exclusion and persecution which had been so often alluded to in terms of reprobation by the hon. Members who had spoken in the course of this debate. His hon. Friend the Member for the University of Oxford had made a great point of the Bill of Rights, and challenged the law officers of the Crown to say, whether this Bill would not be a repeal of the 30th Charles II. It was not for him (Lord J. Manners) to enter into so abstruse a legal question as that; but until he had heard it stated by the law officers of the Crown, he should content himself with expressing his strong and decided belief that the hon. Gentleman was totally mistaken in his views of the law on that point. He must also observe, that the whole of the speech of his hon. Friend the Member for Birmingham (Mr. Spooner), with one exception, in which he called upon the Attorney General to express his opinions on the point alluded to by the hon. Member for Oxford, consisted of a diatribe against the doctrines, or the alleged doctrines, of the Church of Rome, which would and must exist whether this Bill were passed or not. He had heard the hon. Member for Birmingham observe, that he believed that in the contest which was going forward between the Church of England and the Church of Rome, the Church of England would remain unvanquished. If that then were his belief, he wished to ask him why he advocated the continuance of these miserable pains and penalties? If his hon. Friend had truly read the book of eternal truth, as he professed—if he believed that the Church of England was to go forth and evangelize the world—then he called upon him to join with him in attempting to free her from a dependence upon such miserable crutches, and enable her to stand forth unfettered by these pains and penalties, which were totally alien to the spirit of our free Constitution. He believed that the main object of this Bill was to abolish those clauses. He had that day presented a petition from a religious house in the county with which he was connected — from Mount St. Bernard—in which the petitioners stated publicly before the House of Commons, that they were proscribed by the laws of the Imperial Parliament—that they knew they were subject to the pains of transportation and the penalty of banishment; all this they admitted, and they asked the House to repeal those laws. Now, that was the question which they had to decide. Would the House grant them the prayer of their petition, or would they insist that they should remain liable to the pains of transportation and banishment, but at the same time decide in effect that those laws should never be enforced? He could not understand on what ground these laws could be said to be the defence of our Church and State. We had used to be called a practical people. One of the great boasts of Englishmen was, that however their theories might be wrong, their practice was always consistent and sound. But if they were to adopt the system of legislation which hon. Gentlemen who opposed this Bill had recommended, he thought that they must give up their character for practical sincerity and practical good sense, and be content to be regarded by the rest of the world as a most fanciful people. After the attacks which had been made upon the Jesuits, and upon the other religious orders of the Church of Rome, he thought they could not do less—they who believed that those religious orders had done a very great good with regard to education and instruction—than manfully bear their testimony in their behalf. And when he had heard France quoted as an example in which the Jesuits and other religious orders had been put down, he must remind hon. Gentlemen of the testimony of Dr. Christopher Wordsworth, who had given a most interesting account of the Christian Brothers in Paris, and who stated emphatically that during the last insurrection in the capital of France not one of the people educated by the Christian Brothers joined the band of insurgents. And that was no light testimony, given by such a person, who confessed himself to be much struck at the good effects of the Christian Brothers of Paris in the cause of education. Indeed, Dr. Wordsworth recommended the establishment of such brotherhoods in our chief cities. He (Lord J. Manners) had himself visited the schools of the Christian Brothers in Ireland on a recent occasion; and he must confess that all his anticipations were more than realized. In the establishment of the city of Limerick, he saw 1,600 pupils, and in that of Cork 1,400, who received the best education that could be received in Ireland. He had left those establishments perfectly convinced that these cruel pains and penalties should be forthwith abolished; and indeed he believed that if his hon. Friend the Member for the University of Oxford, who so cordially detested the so-called National system of education in Ireland, had visited those schools, he would have been prepared to throw aside the objections which he entertained against this Bill: owing to the successful efforts of these Christian Brothers, no National school existed in Limerick. He did not wish to detain the House any further on this subject; but he might conclude by observing that in his belief a strong case had been made out for going into Committee on this Bill. With respect to the main objections which had been urged against the various clauses, they would be best met in Committee. But he could not quit this subject without adverting for one moment to the very great efforts which had been made to stir up what might be called the Protestant feeling of England against this Bill; and he must take that opportunity of regretting the extreme inaccuracy of the reports and documents which had been circulated in order to procure its defeat. He had that day presented a petition from the town of Melton Mowbray in favour of the Bill; and he believed that a contrary petition had been presented from the same place. He had seen a contrary petition advertised in a Leicestershire newspaper; and he regretted to say that two-thirds of the prayer of that petition and its assumptions were totally unfounded. He regretted to say that the people had been induced to petition against this Bill by parties who stated that the Bill contained clauses to enable the Roman Catholic prelates of Ireland and England to take the style and title of the archbishops and bishops of the Irish and English Church. The people had been informed that the Bill contained clauses legalizing the public elevation of the Host in the streets and thoroughfares of this country. But he had greater confidence in the sound discretion and good feeling of his countrymen than to believe, that when the clauses of this Bill were truly and properly and accurately made known to them, they would oppose its progress. He had the greatest confidence that they would then be of opinion with him, that the Church of England was more secure in the affections of her own people, in her own increased zeal and activity, in the power which she possessed to meet all the requirements of this toiling and industrious population—in the purity of her doctrines and the integrity of the lives of her ministers and professors—than in the retention of cruel and unjust laws, which were never intended to be enforced; nor did he believe that the people of this country supposed that the Crown would be put in peril if that religious toleration which we now sanctioned in practice were sanctioned also by theory and law.

Mr. NEWDEGATE: The noble Lord the Member for Newark had told them that they had not pursued a practical course in their opposition to the present measure. There was one, at the least, and that was the Member for the University of Oxford, who had dealt practically with the subject in the question which he had asked the Attorney General, and which remained as yet unanswered; and until that question was satisfactorily answered, the opponents of the Bill had a right to assert, that if passed into law, it would relieve the Sovereign of this country from the necessity of declaring his or her adhesion to the faith of that Church, at the head of which the Constitution placed Her by virtue of the regal authority which it conferred. Surely that was a fair and practical objection. Well, they had been accused of having excited deep religious feelings and animosities by opposing this Bill; but he would ask, who had awakened them? Who but the promoters of this Bill, who were not content to allow these laws, however little injurious to those affected by them, to remain upon the Statute-book? In the same breath almost, the right hon. Member for Dungarvon had complained of the oppressive nature of these laws, and boasted of the increasing numbers and importance of the Roman Catholic clergy, whom he would have the House believe weighed down and suffering beneath some withering yoke or disability. The passing of this measure had been urged by the noble Lord the Member for South Durham and others, on the grounds of religious liberty. It was because the Church of Rome was intolerant and claimed for herself supremacy in all things, that he (Mr. Newdegate) refused to admit her to the same terms enjoyed by other sects in this country, who, whilst they claimed freedom of religion for themselves, were willing that the same liberty should be enjoyed by others. The Church of Rome claimed for herself universal supremacy, not in outward matters of discipline only, but in all matters of doctrine, of faith, and conscience—not only in temporal but in spiritual matters also. The noble Member for Arundel had spoken out nobly; he was not ashamed to say that he sought, by supporting this Bill, for the supremacy of his Church, and that he was a subject of the Pope. The noble Lord, it appeared, would tolerate a difference of opinion in respect to religion, but said he looked to one great end, and that he confidently expected would be attained—namely, the conversion of the people of this country to the Church of Rome; to the extinction, in short, of Protestantism in this country. Holding the faith which the noble Lord professed, he was quite right to follow it; and he (Mr. Newdegate) honoured him, not being ashamed to avow his adhesion to his faith, and to the objects it enjoined. The right hon. Member for Dungarvon had denied the interference of the Roman Church in temporal matters, and had defied them to point out how the Jesuits had ever interfered in politics. Let him not be asked to tell them of the acts of men whose movements he could not trace—of men who were sworn to deny the existence of the members of their own order. [Mr. Sheil made a motion of dissent.] Would the right hon. Member assert that a Jesuit was at liberty at any time, and on all occasions, to avow his connexion with his order—that a Jesuit would ever avow that connexion, if his doing so might prove detrimental to his Church or to his order, or an hindrance to the objects which his order had in view? The right hon. Member would not assert this. He (Mr. Newdegate) should have been very much surprised if he had. It was on the grounds, then, of his objection to this secret system of absolutism that he (Mr. Newdegate) claimed the retention of the enactments with respect to the Monastic and Jesuit orders. Then they had heard much of the liberality of the present Pontiff; but he could find nothing to show that the present Pope was more liberal to those of another faith than his predecessors, or that he abated one tittle of his claims to universal supremacy. The hon. Member for Rutland had referred to the encyclical letter of the present Pope. What did he claim, after having arrived to the position of Sovereign Pontiff? These are his words. He says he is the

—"living and infallible authority" that "exists only in that Church which, founded by Christ our Lord on Peter, the Head, the Prince, and the Pastor of the whole Church, with a promise that her faith should never fail, has ever preserved uninterrupted her succession of lawful Pontiffs, sitting in his chair, deriving their succession from Peter himself, and being inheritors and guardians of the same doctrines, dignity, honour, and power. And since where Peter is there is the Church, and Peter speaks by the lips of the Holy Pontiff, and ever lives and exercises authority in the persons of his successors, and exhibits to those seeking it the truth of faith; therefore, the Divine Word is evidently to be accepted in that sense which the Roman See of Blessed Peter has held and does hold—that See which is the mother and mistress of all churches."

He asked the House to consider well the authority of the Pope, which the Bill proposed to admit, and see whether they could reconcile its admission with the allegiance which they owed to the Queen of these realms. He believed that they could not. According to the terms of her institution, the Roman Catholic Church constituted the Pope "the father of princes and of kings, the ruler of the world, the vicar of Christ on earth." Let him not be told then, that the Roman Church did not claim temporal as well as spiritual dominion. How, then, could they reconcile powers of such a character with the prerogatives of the British Crown? But it had been said that the Pope claimed no temporal power. What, however, did the Pope himself say on this subject?—

> "Have a care to impress upon their minds the obedience and subjection which is due from a Christian people to princes and powers; teaching according to the Apostolic precept, that there is no power but from God, and that those who resist the power resist the ordinance of God, and purchase to themselves damnation. And, therefore, that the precept of obeying the lawful authorities cannot be violated by any one without sin, UNLESS, INDEED, anything be commanded which is opposed to the laws of God and of the Church."

And of these laws, the Pope in several preceding passages of this his encyclical letter declared himself and claimed to be sole exponent: they extend to temporal matters as well as spiritual, according to the decrees of the Council of Trent, to which the Roman Catholic Church still adhered, and which were embodied in their canon law. The Pope, it thus appeared, retained the power of exercising his supremacy temporally as well as spiritually within the realms of every kingdom in the world. Now he would beg the House to consider, what must be the result of bringing the ecclesiastical authority of the Pope into competition with the ecclesiastical authority of the Queen in the kingdom. The ecclesiastical supremacy of the Queen was limited to what was termed the *forum exterius*, the appointment of bishops, and the general supervision and direction of the officers of the Church in outward matters; and there was stayed by law. But the ecclesiastical supremacy claimed by the Pope, reached not only these small matters, but extended beyond them to all matters of discipline, doctrine, faith, and conscience. This authority of the Pope could not be correlative with that of the Queen, for each claimed supremacy, and the supremacy claimed by the Pope was greater and more extensive than that of the Queen; if, therefore, they were admitted upon equal terms, the greater must overbear the less authority; in short, the authority of the Queen would be brought into subjection, as it were, to that of the Pope. Let him not, then, be told that these were any trifling matters. Let him not be told, that the framers of this Bill ignored the claims of the Pope to temporal power in this country. For if they did, what was their object in proposing by this Bill to absolve Roman Catholics from the necessity of taking the oath prescribed by the Act of George III., and the Relief Act of 1829, in which they denied not the spiritual, but only the temporal and civil authority of the Pope in these realms. Was he to be told that on the ground of religious tolerance they should allow such extraordinary powers as these? He was as much a friend to toleration as any Member in that House; but if they did admit the powers of the Pope into this country as proposed by the Bill, and claimed by the Sovereign Pontiff himself, they would sanction intolerance. For one, he would not tolerate intolerance; and because the Roman Church was intolerant, he refused to admit her to the same terms which those of other sects and creeds enjoyed in this country. The right hon. and learned Member for Dungarvon had told them that there were few petitions presented against this Bill. The people had not petitioned because of the way in which their petitions had been treated on the Maynooth question; they had little confidence in approaching the House. But what would the right hon. Member have? Several petitions had that day been presented; the last he (Mr. Newdegate) had presented had 300 signatures attached. It was with regret he had seen, in the case of the Maynooth grant, and on other occasions lately, the slight weight which the leaders of the House seemed to attach to the petitions of the people respecting matters affecting deep feelings and sincere convictions. Such neglect must have one of two results: it would either rouse rebellious anger in the people's breasts, or it would generate indifference; and indifference on great constitutional questions like the present would insensibly perhaps, but surely, loosen the people's true allegiance. Let them, however, rest assured of this, that there was a deep feeling in this country on the subject now before the House, and that when the Constitution gave the people occasion to express their mind, they would hear of this matter again. He felt that he had been led into a consideration of more topics than he had intended to notice; but he confessed that it did annoy him to hear matters of such a serious and important nature designated as trifling—that these objections to the measure were frivolous—and that the concessions asked for were small. It did arouse him to find the admission of such powers sought under the guise of an appeal to the compassion and liberality of his countrymen. The noble Lord the Member for Newark had attacked the opposition offered to the Jesuits in France and Switzerland, which he asserted had originated in democratic violence, as though the Swiss had marched great distances, assailed their countrymen, and shed their blood without a cause. Men did not these things, were they democratic as they might, without a cause. And the noble Lord knew well, that the real cause of these disputes and evils in Switzerland originated in the fact, that the Jesuits had attempted to grasp the education of the youth of cantons where they were unwelcome, as well they might be; and then the noble Lord went on to show the evils resulting from the suppression of the Jesuits in France. Well, why had this been done? Was it not a notorious fact, that in France the Jesuits had been declared illegal, because of the intrigues for power in which they had continually engaged. It was, however, said, forsooth, that the sin was in those who had resisted this usurpation, and not in those who, by their restless and intriguing ambition, had excited these disturbances. He lamented the separation of the Church from the State in France. What had been the consequence? Why, the clergy, finding themselves abandoned, had sought the support of Rome. Such an example ought to be a warning to those who were inclined by (so called) liberal opinions to promote the separation of the

Church from the State of this country; a measure which, whilst it would impair the efficiency of the Church, would unchristianize the State; and such was the tendency of the Bill before the House. In the last Session, the hon. and learned Member for Cork supported a Bill of a similar character to this, because, he said, he thought it would cause a separation of the Church from the State. That was in his opinion an additional reason why they should oppose the present measure. The hon. and learned Member for the University of Oxford had asked the Attorney General an important question, which ought to have been answered; for if the measure was subversive of the Bill of Rights, how could the Members of the House of Commons support it? If they agreed to such a Bill, they must relieve the Sovereign from her obligation to uphold the Protestant faith, and fully and undisguisedly admit the temporal and spiritual authority of the Pope of Rome. What did Lord Campbell say of the Religious Opinions Bill, which originally contained the same provisions as this Bill, though they were afterwards struck out?

> "He rejoiced that the Bill had been brought in, and rejoiced that it was likely to pass with so much unanimity; but at the same time he must say, that unless some ulterior measures were adopted, the Pope would have more authority in England than he ought to have, and than he possessed in Italy, in Spain, in France, or in Austria. He should strongly recommend the Government of this country to have a concordat with his Holiness the Pope. Until such a measure was resorted to, the Roman Catholics in this country would not be under due control, nor would there be due discrimination between the authority which might be legitimately exercised by the Pope, and that species of authority which ought not to be exercised by any Sovereign in a foreign country."

In Lord Campbell's opinion, then, and it should have weight at all events with the Ministerial section of the House, this measure, if passed, would be but a step to another, by which we should be compelled, after having admitted the Pope's authority, to go beg for his protection. It was hard to say, what measure might not pass that House; but he would say this, that if unhappily this Bill should pass, and Her Majesty should be advised to sanction such a measure, he humbly trusted that Her Majesty would well consider before she sanctioned it by her assent. He trusted that Her Majesty would not forget how the last exercise of her ecclesiastical authority was received by the people of this country, when, bowing before the heavy dispensation of Providence which has lately afflicted these realms, she commanded that a day be set apart for public humiliation. How at Her command Her people had not tarried, but hastened to join their prayers to Hers; how they had flocked to their churches, till they left the thoroughfares of this great metropolis more still and vacant than they were during the church-time of ordinary sabbaths. He did humbly hope that, remembering this, Her Majesty would at least hesitate before She consented to abandon one jot or one tittle of an authority which Her faithful subjects so deeply respected and so willingly obeyed.

Sir JOHN EASTHOPE complained that the hon. Member who had last spoken had represented the Bill to be what it was not, and by an illogical mode of reasoning upon it had endeavoured to raise feelings against it in the country not warranted by a true representation of the nature of the measure. This was not a question as to the comparative merits of Protestantism and Catholicity; but whether the laws sought to be repealed were adapted to the purpose they had been intended to effect. He appealed to the hon. Member for Warwickshire (Mr. Newdegate) whether he was prepared to see these supposed securities of the Protestant Church put in force—whether he was prepared to resort to them as securities for the Protestant religion. If the question had been as to the comparative merits of the two religions, Protestant and Roman Catholic, he would not hesitate a moment as to the side he should support. He valued the Church of England as highly as any man; he was deeply attached to the Protestant religion of this country. His noble Friend the Member for Arundel said, with that truthfulness which was so characteristic of himself, that he believed that the ultimate result of religious controversy would be the extinction of Protestantism; he begged to tell his noble Friend that it was his conviction that without the aid of any of these nugatory and oppressive laws, the ultimate result would be the extinction of the Roman Catholic religion. Most fervently and confidently did he hope and believe that such would be the final issue. His noble Friend had a full right to say that he believed the Roman Catholic religion would be ultimately successful. This was a difference of opinion. He honoured the sincerity of his noble Friend's convictions; but he (Sir J. Easthope) entertained sentiments of a directly opposite character. The question before the House really was, whether they should preserve as defences for the Protestant religion, severe laws made for other times and under other circumstances? Was it fit in these days to expose to banishment and degradation some of the best and most loyal subjects of Her Majesty? It had been admitted that these laws could not now be enforced; and if so, was it fit to keep them on the Statute-book? Even the hon. Baronet the Member for the University of Oxford was not prepared to enforce them. They had been allowed to remain so long in abeyance, that they might now be looked upon as obsolete; and was it to to be argued that they were necessary defences to the Protestant religion of the State? The laws were avowedly so inappropriate, that the most violent opponents of the Bill of his hon. and learned Friend would, themselves, be among the first to resist their execution. The hon. Member for Birmingham would be the last man to support these penal statutes, if he thought there was any chance of carrying them into practical operation. In voting in favour of the Bill before the House, he felt that he only paid just homage to the faith he professed. He evinced his confidence in the Protestant religion. He believed that no such danger existed as had been described; and he was willing to rely upon Protestantism, and upon its final triumph, without resorting to the inappropriate laws now sought to be repealed. He called them inappropriate — they were manifestly inoperative; but they assumed a much graver and more important aspect—they appeared worse than he could describe them—when he contemplated the impossibility of carrying them into effect. What he had principally risen for was to avow, as he did most truthfully, that if he saw in the abrogation of these laws the smallest danger to the Protestant faith or to the Established Church, in the religion of which he had been born and lived—if he thought it possible that any of its safeguards would be in the slightest degree weakened by such a course —nothing could have induced him to support the Motion of his hon. and learned Friend. Convinced as he was that the Protestant faith stood in need of no such defences, he should cordially and fearlessly vote for going into Committee on the Bill.

Mr. GOULBURN was anxious, before the question went to a division, to state shortly the course which it was his intention to pursue. When the Bill was under discussion last year, he voted for its rejection, and he saw no circumstances to induce him to do otherwise than adhere to the course which he at that time pursued. He deemed the more important part of this Bill to be that which related to the repeal of certain portions of the Roman Catholic Relief Act. He was a party to the introduction and the passing of that Act—a measure removing restrictions on Roman Catholics to a greater extent than had ever been attempted before. The Bills previously introduced by the warmest advocates of the Roman Catholics fell far short of the Bill of 1829, in, he would not say, the grant of privileges, but in the removal of disqualifications; and it was unnecessary to remind the House under what difficulties the Government then laboured in reconciling Parliament and the country to the liberality of those enactments. That Act was also distinguished from previous Bills by this remarkable feature—the diminution of the restrictions which it was thought necessary to retain, either upon the religious or the civil conduct of the Roman Catholics; for the Act of 1829 abandoned what Mr. Grattan had proposed in his Bill, and what Mr. Plunkett had continued in his, as reasonable securities, and limited the restrictions to those clauses which the hon. and learned Member (Mr. Watson), either in his Bill of last year or in the present, proposed to repeal. That Act of 1829 he considered to be a compact solemnly entered into with different parties in the State as to the position in which the Roman Catholic inhabitants of this country were in future to stand with respect to civil and religious disabilities. It was well known that the alarm which prevailed throughout the country at that time with respect to the admission of Roman Catholics to political power, had its influence upon the minds of a large body of representatives in Parliament; and it was only in consideration of those restrictions which were retained, and which were deemed necessary for the safety of the country, that support was acquired for that measure; and being one of the parties who introduced that Bill, he could not consent to violate the compact which was then virtually entered into. Was anything now urged to induce the House so to act? Was it stated that there was any great and manifest grievance to be redressed? Was any individual named, who had been subjected to pains and penalties in consequence of the remaining restrictions, which since the Act of 1829 were in force? On the contrary, every hon. Gentleman said, that the restrictions had been inoperative. So little disposition had there been to enforce penalties against our Roman Catholic countrymen, that not a single infliction of penalty or inconvenience had been described to have arisen. On the one hand, there was no inconvenience to complain of; on the other hand, the House was asked to violate a solemn compact, without any sufficient reason being urged for so doing. It had been said, indeed, that the restrictions ought to be repealed, because they had proved inoperative; but he must deny that that was a just line of argument. The power of enforcing the penalties imposed by the Act of 1829, was placed in the hands of the Attorney General; it was purposely thus limited, in order that those laws might not be rashly or in heat put in force, at the will of hostile individuals, but that the Government should in each case decide whether a case had arisen in which it was necessary that the laws should be applied. Undoubtedly, since that Act passed, the clauses in question had been violated; penalties might have been enforced if it had been thought advisable by the Government to enforce them; but, exercising a sound discretion, the Attorney Generals of successive Governments did not think it necessary to interfere where no public danger arose from the violation of the law, but they reserved their powers for periods which might possibly arrive when the public safety might require their exercise. Nor was there anything unreasonable in the nature of the restrictions. Take, for instance, the appearance of Roman Catholic clergymen in their vestments of office, in the discharge of their ecclesiastical functions, in public or in other places than their churches and private houses: was it desirable, taking merely the civil ground, that Roman Catholic processions, accompanied by all the paraphernalia of such ceremonials, should be permitted in our streets? Even the supporters of the measure must feel that the law upon this point was no restriction of the religious or civil rights of those parties, but was necessary for securing public order; and yet the Bill in the first instance absolutely proposed to repeal the clause which restrained such exhibitions, and even as now to be amended would permit them all under pretence of burying the dead. Would the right hon. Member for Edinburgh (Mr. Macaulay) or the Lord Advocate say what would be the result, if under pretence of a Roman Catholic funeral there were to be in the streets of Edinburgh one of those exhibitions in which numerous priests in pontificals carried crosses and other adjuncts of those processions? If the thing were to be done again, he (Mr. Goulburn) would not say that he might not prefer a penalty which could be more easily enforced than that which was imposed by the Relief Act. He did not think, however, that the State should part with all power of interference with or control over the monastic orders—another subject with which that Act and this Bill dealt. He could not say that individuals acknowledging obedience to and dependent upon a foreign Power, in respect to their conduct, were, in consideration of their being well educated or highly cultivated, safely to be trusted with every privilege in this kingdom. The question was not to be judged of by the conduct of particular members of those orders at this moment. Members of those orders were known to have been most active instruments of mischief as well as of good; and the fact of their superior education rendered them competent to do much of either. It might perhaps have been wiser if the public feeling of the country had permitted it, to impose penalties upon the religious orders, less severe, and therefore of more easy enforcement; yet he saw no necessity for infringing upon the provisions of the Act with a view to enact—for it would come nearly to that—that there should be no restrictions whatever upon the members of those orders. All that was to be required was registration, to be enforced by a small penalty; hitherto registration had been almost universally neglected, and as the penalty was to be enforced only through the medium of the Attorney General, it would either not be enforced at all, or the enforcement would be a new ground of complaint against the Government. The Bill further professed to repeal other penalties imposed by antecedent statutes; but he could see no ground for that repeal. If he had any doubts as to the inexpediency of legislating upon minute points affecting the situation of the Roman Catholics in this country, the present debate would have furnished him with the strongest argument for resisting such legislation. If the Roman Catholics were really oppressed, or likely to be so under the existing law—if there were a *dignus vindice nodus*—he should be willing to face the evil of again bringing into collision Roman Catholic and Protestant feeling; but while no evil existed even in the imagination of those who proposed to stir the subject, he felt the imprudence of agitating such questions at the risk of raising religious discussions in the country (of which the House had heard enough on that day), and inflaming one part of the population against another, exciting on the one hand the Roman Catholic to believe that he laboured under disabilities of which he had not been aware, and on the other alarming sensitive Protestant minds as to the danger which might result from their removal. It was no light matter to agitate questions of this kind; they begot ill-will and hostility which, once excited, lasted long; and this was a peculiarly inappropriate moment for such agitation, since there was in the sister country a cessation in a great degree of former hostility, and Roman Catholic and Protestant, forgetful of religious differences, were emulating each other in efforts to relieve the distresses of their common countrymen. But he must remind the House how the matter as to these obsolete statutes stood. The late Government thought it desirable that the statutes should be repealed which imposed penalties upon Roman Catholics, although in practice a dead letter; but they took the rational course of referring the whole question to Commissioners able from their eminent qualifications to lay before the House a full report upon the laws which affected prejudicially, not merely Roman Catholics, but every class of Dissenters from the Established Church. In consequence of the labours of that Commission, a general measure was passed, removing those enactments which gave offence, not from their pressure, but from their existence on the Statute-book, and all those Penal Acts were got rid of which were calculated to excite just dissatisfaction. That measure was complete, and of a final character; but if Parliament was to discuss, in every succeeding Session, minute points which some hon. Gentleman might think had escaped the notice of those who elaborately considered the whole subject, there would be no end to the excitement of animosities, and of discussions, by which nothing could be gained. Take, for instance, the first provision in this Bill. The Act passed last Session repealed so much of the 1st of Elizabeth as imposed penalties on persons, Roman Catholics and Dissenters, who denied the supremacy of the Crown; it was now proposed to repeal the particular clause which imposed those penalties; and this was argued as conferring a great benefit upon Roman Catholics! The right hon. Gentleman the Member for Edinburgh (Mr. Macaulay), when this Bill was before the House on a former occasion, stated indeed that the 1st of Elizabeth subjected to fine and imprisonment any Roman Catholic who ventured to educate his children in the doctrines of the Roman Catholic faith; it was extremely fortunate that the right hon. Gentleman did not live in a former period when persecution was in fashion. A legal opinion of his upon such a point would have led to a more extensive application of that Act than was ever suggested in the most intolerant times, and have saved Parliament the necessity of passing a number of Acts which it had subsequently passed upon the subject of Roman Catholic education. The fact was, that the supremacy of the Crown did not rest upon statute; it was founded upon the common law; and, therefore, the proposal to repeal this statute was really nothing but a parade of fruitless liberality. Further the hon. and learned Gentleman proposed to repeal so much of the 13 and 14 Charles II. (the Act for Uniformity of Public Prayers) as related to the offence of being present at any other manner or form of common prayer than that which was authorized by law. Such a provision was altogether unnecessary; Lord Lyndhurst's Act, passed last Session, had effected the same purpose. The Act 13 and 14 Charles II. only applied the penalties imposed by the Acts of Edward VI., and of Elizabeth, to those who disregarded the later Form of Common Prayer; and as the provisions of those statutes had been repealed by Lord Lyndhurst's Act, the application of them by the 13 and 14 Charles II. could no longer take place. With regard, indeed, to the greater part of the statutes which the hon. and learned Gentleman proposed to repeal, the object had been already effected; the penalties at least imposed by them no longer attached. The hon. and learned Gentleman proposed in one single clause to repeal the Act 31 George III., as to uses and dispositions of real and personal property; but he thought that those who were of the same profession with the learned Gentleman would be the last to consent that the provisions as to the uses and dispositions of property for superstitious purposes should be summarily repealed by a line in an Act of Parliament. As to the provisions of the Act 10 George IV., which the hon. and learned Gentleman also proposed to repeal, there was nothing in their nature to induce him to depart from the course he had hitherto thought it his duty to pursue in upholding the integrity of that Act, which those who had assented to it on certain conditions had a right to have observed, so as to maintain the limited protection which its provisions afforded. If he adhered scrupulously to that Act, his determination to do so was strengthened by what had fallen from the only Member of the Government who had that day addressed the House (Mr. Sheil). He had suggested that there were additional offices which ought to be thrown open to the Roman Catholics, alluding especially to the Chancellorship of Ireland. The adoption, then, of the present measure might therefore be considered only as a step to further innovations upon the Act to which he referred; the view of the right hon. and learned Gentleman was, that the House should make a beginning in the direction proposed, when there was a general disposition to liberality in dealing with such subjects: it might, however, be suggested for his consideration whether in taking a course not justified by the circumstances of the case, and repealing part of a statute which was as it were the charter of Roman Catholic qualification, he might not afford a precedent capable of application in a different direction. What security had he that the time might not come when the disposition would be not to extend but to contract the privileges now enjoyed by Roman Catholics? and when those who had been parties to the original construction of the Act of George IV., would be called upon to defend those privileges, and to resist the violation of the provisions made in favour of Roman Catholics by that Act of Parliament? Thinking it therefore on every ground inadvisable to depart, without manifest reasons, from the settlement made by the Roman Catholic Relief Act, and considering that no case of grievance had been established or attempted, he should certainly support the Amendment which had been moved; and vote, as on a former occasion, against the further progress of the Bill.

MR. J. COLLETT: Although it is impossible for any one to regret more than I do the declaration of the noble Lord the Member for Arundel, that the Roman Catholics will carry on a contest with or against Protestantism, till Protestantism shall become extinct; I shall consider it my duty to support the Motion of my hon. Friend the Member for Kinsale, that you Sir, do now leave the chair for the purpose of our going into Committee on this Bill. I give my vote, however, on quite the opposite principle; I give it because I am for toleration—non-interference. Objecting to the interference of any one in my religious principles, I should feel ashamed were I to wish to interfere with the religious principles of others. In my opinion, religion ought to be simply an affair between man and his Maker; and if any one discharges his duty properly and uprightly in this world, I should be sorry to think that his chance of going to heaven was diminished by his being called a Protestant, Catholic, Dissenter, Mahometan, or Hindoo. I am myself an humble member of the Church of England; but I am in no apprehension of danger from the Church of Rome. If the Church of England has anything to dread, it is from the conduct of its own members; of such men as the Bishops of London and of Exeter, who, by their endeavours to introduce newfangled doctrines and ceremonies, by having the service performed twenty different ways in twenty different places, are bringing about dissension and discord between clergy and congregation, and disgusting the laity instead of securing their respect and affections. The Crown is the head of the Church, and the Bishops next in authority under it. What shall we think of the unity prevailing, when the Queen, the head of the Church, recommends one thing, and a Bishop directly the reverse? The Queen, the head of the Church, thinks proper to attend a performance at the Opera, for the benefit of the fund collecting for the distressed Scotch and Irish: the Bishop of Exeter has the effrontery to denounce from the pulpit a ball got up for identically the same object. Well may we say, a house divided against itself can never stand; and a Church in which there exists such diversity of conduct, can never stand well in the eyes of the honest and impartial. One word more before I sit down. We have heard a great deal from the right hon. Gentleman who last addressed the House, as well as from others, as to processions of Roman Catholic priests in their robes. Of these processions no one can more disapprove than myself: there is however, another procession of which I am also desirous of getting rid, and that is, of a procession which daily takes place in the House of Lords—of the Bishops marching and parading themselves in their episcopal habits, when I am sure they would look much more quiet and respectable, if like others they attempted to legislate in plain clothes.

Sir G. GREY observed, that although it had not been his intention to address the House on this occasion, he wished briefly to state the reason why he should vote for going into Committee upon this Bill. He regarded the question as being precisely the same in substance with that which was discussed some weeks ago, when the Bill was ordered to be read a second time. The right hon. Gentleman the Member for Tamworth (Sir R. Peel), then stated that he viewed the Bill as consisting of two parts, and that while he supported the first part, he opposed the second. The statutes which affected Roman Catholics in former times, and to which the first part of the Bill referred, had been examined by the Criminal Law Commissioners; and it was in accordance with their distinct recommendation that those statutes should be repealed. With regard to the latter part of the Bill, it was hardly necessary, after the grounds so very ably stated by the right hon. Member for Edinburgh (Mr. Macaulay) in supporting the second reading, to reopen the argument upon the Motion for going into Committee, when the question was substantially the same. The House was not pledged to the details of the measure by adopting the present Motion. For his own part he had already stated that he was not prepared to give his assent to all the provisions of the Bill. He could not agree—he could not sympathize—with the noble Lord, the Member for Newark (Lord J. Manners), in the complacency with which the noble Lord had viewed the extension of the Roman Catholic Church, as regarded its religious orders; but he was prepared to give his cordial assent to the principle of the Bill, so as to effect the removal of all disabilities which were objectionable in their nature, and which could safely, and in accordance with the constitution of this country, be dispensed with. He knew well the language which would be used as to the Bill in conformity with the views expressed by the hon. Member for Birmingham (Mr. Spooner). It would be said that the object was the subversion of Protestant interests in this country, and the advancement of Roman Catholic. He protested against any such imputation; he protested against the assumption that the supporters of the present Bill were adverse to the Protestant interests of the country, holding, as he did, that the Protestant Reformation of the 15th century was one of the most valuable boons which had ever been bestowed upon any country. But he should reckon himself unworthy of the name of Protestant, if he could consent to retain penalties which Roman Catholics, it was declared, should incur by teaching in their families doctrines that entered into the creed of their Church; and he saw no use in retaining upon the Statute-book, now that the penalties were removed, a declaration of the illegality which still attached to the profession of certain views. He could not see why Parliament should leave on the Statute-book provisions which declared that their Roman Catholic fellow-subjects were acting illegally when they were acting conscientiously. The principles of toleration in regard to Roman Catholics had been adopted into the legislation of this country; and he believed it was for the interest of Protestantism that those principles should be adopted, that hon. Gentlemen should discharge themselves of all suspicion that they wished to attempt keeping down their Roman Catholic fellow-subjects, by retaining such enactments as those which the Bill proposed to remove. He was prepared to go into the consideration of its provisions *seriatim*, with the report of the Criminal Law Commissioners in his hand, so as to ascertain how far it was in conformity with their recommendations; and he was prepared to go then into the consideration of the latter part of the Bill, as to which he had much greater doubts. It was not likely that the provision for legalising public processions would be pressed. He knew not what was the view of the hon. and learned Member who had the conduct of the Bill; but that and other matters would be fully considered in Committee. Having voted for the second reading of the Bill, and considering the present question substantially the same as one then decided, he should vote for going into Committee.

Mr. LAW regretted that the right hon. Baronet had not alluded to the difference between repealing the Statute of Elizabeth and the specific penalties attached to the crime which it prohibited. He called the attention of the House to a statute of the reign of Richard II., which threw some light on the question of supremacy; for it showed that the supremacy of the Bishop of Rome was in early times no part of the religion of this country. This statute of *præmunire*, for purchasing bulls from Rome, and which affirmed the Crown of England to be "subject to none," was passed on the petition of the Commons of the realm to redress those grievances which the interference of the Pope of Rome had introduced into this country. It recited the remedies for recovering the presentation to benefices, the Pope having proceeded to pass sentence of excommunication against bishops for acting on the judgments of the courts; and it stated the danger to the freedom of the Crown, which was not subject to any foreign Power. The temporal Peers were asked whether it was not part of the Constitution that the spiritual supremacy of the Crown should be maintained? They answered with one voice that it was, and that it was contrary to the law of England for any Romish censure to be cast on those who carried out the ecclesiastical law of the country. This Act was passed in Roman Catholic times, when there was a spirit in the Commons of England not to allow the supremacy of the Pope to override the supremacy of the British Throne. He was tempted to quote to the House the firm and forcible language of the Commons of England of that day, in the hope that the loyal and uncompromising spirit which dictated that language had not degenerated in the days of our Reformed National Church—the bulwark of a Protestant Throne. The hon. and learned Gentleman then read the following passage:—

> "And, moreover, the Commons aforesaid say, that the said thing so attempted be clearly against the King's Crown and his Regality used and approved the time of all his progenitors; wherefore they and all the liege Commons of the same Realm will stand with our said Lord the King, and his said Crown and his Regality in the cases aforesaid, and in all other cases attempted against him, his Crown and his Regality to live and to die. And moreover they pray the King, and him require by way of justice, that he would examine all the Lords in the Parliament, as well spiritual as temporal, severally, and all the States of the Parliament, how they think of the cases aforesaid, which be so openly against the King's Crown, and in derogation of his Regality, and how they will stand in the same cases with our Lord the King, in upholding the rights of the said Crown and Regality."

He forbore to make further quotations from this statute, passed in the sixteenth year of Richard II., and in that of our Lord 1392; the whole penning of the Act was remarkable, and would well repay perusal from its great political and historical interest. The repeal of the Statute of the 1st of Elizabeth, c. 1, would not repeal the Constitution of England, or deprive the Crown of England of the right to exercise supremacy in spiritual matters. If, then, the common law was left in the same state, why should the statute be repealed? On these grounds he entirely objected to enter into the consideration of the question in Committee. No notice either had been taken of the observations of the hon. Baronet the Member for the University of Oxford, who had pointed out that the provisions of this Bill repealed those Acts in which the oath exacted from the Sovereign were to be found embodied. For instance, by the Act of the 1st William and Mary, a very stringent test was provided that the Sovereign on coming to the Throne should make a declaration of being in communion with the Church of England, and renouncing the See of Rome. This declaration was embodied in the 30th of Charles II., which was one of the Acts proposed to be repealed by this Bill; so that, if this Bill passed, they would repeal the whole of that Act in which alone the terms of that particular declaration were to be found. He did not say that that of itself would release the Sovereign from the obligation of being in communion with the Church of England; but *pro tanto* it repealed one of the Acts which imposed the obligation. But he objected to involving the matter in the slightest doubt—to making it a matter of doubtful interpretation, or giving the smallest ground for any one to pretend that this security was removed. If this Bill did not of itself remove this security, it at least prepared the way for the insinuation that it was removed; and on that account he objected to it. With regard to the second branch of the Bill, his right hon. Colleague (Mr. Goulburn) had so fully explained the necessity of the safeguards which were imposed in the Roman Catholic Emancipation Bill, that he had nothing to add to his observations. The faith of Parliament indeed—the faith and honour of the promoters of that measure—were solemnly pledged to their continuance: the concession was sought upon those terms—it was yielded upon those conditions. The present Bill proposed to let in a whole inundation of regular clergy, without taking any precaution whatever. He would not trespass upon their attention farther than to say, that he should have great satisfaction in recording his vote along with the hon. Baronet the Member for the University of Oxford, who "had done the State some service" by his opposition to this Bill.

VISCOUNT SANDON assured the House he would not detain them five minutes. At the same time, it was a question on which he was unwilling to give a silent vote. In the first place, he had to express his unfeigned regret that this question had been raised at all, inasmuch as he disliked to see occasion given for religious dissension without some great practical object to be gained by it, which he confessed he could not find in the Bill now before them. It was not pretended that there was any great practical evil endured by any one under the law as it now stood. But he did see a great evil in exciting religious dissensions, which ought not to be called forth except in cases of absolute necessity. At the same time, while such was his feeling with respect to the appearance of the Bill before them, it was impossible, after that Bill was introduced, to forbear expressing an opinion upon it one way or another. It would be more convenient for him, perhaps, if he did not express any opinion; but that was a course he was unwilling to take. Looking, then, to the course of conduct he had always pursued on similar occasions—looking to the confidence he had always entertained that, with institutions so free as ours, the only way of fighting the battle of truth was to leave it unsupported and unfettered by the action of the State, he confessed he could not bring himself to vote against going into Committee on the present occasion—the question being, whether they would allow Acts to rest upon the Statute-book which had no practical effect except to wound the feelings of a large class of our countrymen, and which, indeed, could not be practically called into existence without opposing the whole course of public feeling. When such was the question before them, he confessed he could not oppose the Motion for going into Committee with the view of doing away with these enactments.

MR. ESTCOURT would not detain the House by attempting to throw any light upon this subject; but as the right hon. Gentleman (Sir G. Grey) had stated the reasons why he wished the House to go into Committee, he (Mr. Estcourt) desired also to be allowed to state very shortly the reasons why he opposed going into Committee. The right hon. Gentleman had grounded his wish for going into Committee upon the fact, that the sense of the House had already been taken upon the principle of the Bill by the division which took place on the second reading. He (Mr. Estcourt) begged, however, to recall to the recollection of the House, that at whatever length the question had been discussed, the majority for the second reading amounted only to three. He begged also to remind the House, that the right hon. Gentleman the Member for Tamworth, who strongly resisted this measure upon the ground that it was an infraction of the compact of 1829, did yet vote in support of the second reading, upon the distinct understanding that the hon. Member for Kinsale (Mr. Watson) would, in Committee, introduce certain clauses which would satisfy his scruples. He appealed to the House whether the clauses which the hon. Member for Kinsale had given notice of his intention to introduce in Committee, were in the slightest degree calculated to meet the objections of his right hon. Friend (Sir R. Peel)? He thought they were not; and he, for one, would maintain that if the Bill passed, the compact which had been entered into at the passing of the Catholic Emancipation Act would be completely violated. On these grounds, therefore, he should feel it his duty to vote against going into Committee.

MR. WATSON trusted the House would bear with him for a few minutes, as he happened to be the individual who had charge of the Bill, while he answered the many objections which had been made to it, and while he showed to the House what was its real and true principle. Not one single argument had been adduced against the principle of the Bill, but objections of more or less weight had been urged against detached clauses. That principle was the removal of penalties affecting individuals on account of their religious opinions—a clear and broad principle. That was the principle which he wanted the House to affirm. That principle had been affirmed on the vote for the second reading of this Bill; it had been affirmed by the Bills of 1844 and 1846, which were now part of the law of the land. There might be alterations made in the Bill without touching its principle; those alterations might be discussed in Committee; but he wanted that the House should not send it abroad to the country that they rejected the principle—this large and tolerant principle—that no man should be punished on account of his religious opinions. With reference to the observations of the noble Lord the Member for Liverpool—for whose opinions he had the highest respect—he denied that it was he who had caused the religious dissensions. He had simply affirmed a principle—to remove odious enactments from the Statute-book; it was the opposite party who promoted the dissension; and the secret was let out by the hon. Member for Warwickshire, who threatened hon. Members with having this subject brought forward on the hustings, and who intended no doubt to revive the old war cry of "No Popery." The hon. Member for the University of Oxford (Mr. Estcourt) had charged him with a breach of compact. He was sure the hon. Member did not use the word offensively; and he could assure the House that he would be the last man in it to commit a breach of faith. Some Members complained that legislation was unnecessary, some that he went too far: there was much difficulty in pleasing his opponents. How would the hon. Member for Birmingham like to have inoperative penal laws in force against him for the exercise of his religion? He had promised to satisfy the scruples of the right hon. Baronet the Member for Tamworth in Committee; and he had since proposed and published clauses which he thought ought to satisfy him; and if the right hon. Baronet had not been satisfied, he would have been present to-day to say so. At all events, if those clauses were not sufficient, further securities could be taken in Committee. The Bill was divided into two parts, and the first part was intended to repeal the ancient penal laws. The Emancipation Bill was intended to restore to the Catholics the civil privileges to which they were entitled: this Bill was intended to remove the penalties to which they were exposed. All the arguments which had been urged by the hon. Member for Birmingham, and the hon. Member for Warwickshire, were beside the question. He fully agreed with their main principles. He hoped he was as sincere a Protestant as they were, and he wished to see the Catholics brought to Protestantism; every sincere man wished to see his religion in spirit and in form prevail; but then he wished to see them brought by reason and argument, and not by penal laws, for penal laws might make martyrs, but could not make converts. The right hon. Gentleman the Member for the University of Cambridge had not dealt fairly with this Bill. In 1843, he originally brought this Bill into Parliament. In 1844, an Act was passed taking away the penalties from the Acts of Elizabeth and of James I. The penalties were taken away, but the offence with the common-law punishment attached to misdemeanors, still remained. Now, it was well known that if a matter was made an offence by statute, while the statutable penalty was taken away, then it remained at common law a misdemeanor, and that was what he now wanted to remove. Then there was the 30th of Charles II., the repeal of which the learned Recorder for London said would *pro tanto* weaken the force of the 1st of William and Mary, known as the Bill of Rights. But the repeal of a former Act would not touch a subsequent Act, and he was at a loss how any one could conceive that it would. The 30th of Charles II. contained a declaration; the Bill of Rights did not regard subjects at all, but the duties of the Crown. The Sovereign would make the same declaration whether the Statute of Charles was in force or not. At all events, the words introduced in Committee would obviate all doubt or difficulty. As to the observations of the learned Recorder regarding the supremacy of the Crown, that was exactly his argument. He had always maintained that the supremacy of the Crown was maintained by the common law of England. It had been so laid down by Lord Coke, Lord Hale, by the Statutes of Richard II. and of Henry VIII., all declaring the supremacy of the Crown in matters ecclesiastical, was part and parcel of the common law of England. The 1st of Elizabeth, therefore, which he proposed to repeal, did not make, nor even for the first time declare, the supremacy of the Crown; but it punished individuals for maintaining the authority of the Pope of Rome in ritual or doctrinal matters. That was the first part of the Bill. The second had reference to those parts of the 10th of George IV.—the Catholic Emancipation Act—which some people called the safeguards of the Constitution. This part of the Bill consisted of two clauses—the prohibition, of religious processions, and the admission of the regular orders of clergy into the United Kingdom. Now, he was as averse as any man could be to have religious processions in the public streets. He objected to processions of all kinds, whether Protestant, Catholic, or Dissenting; for he thought they had a tendency to bring religion into ridicule in the minds of those on whom religion had not a strong hold. The Amendment which he proposed was this—that as far as regarded funerals, this prohibition should be repealed. At present, he understood, the funeral service was read over the body of a deceased Catholic in a private room; and the priest did not attend in the churchyard at all. All he wished was, that at the burial ground the priest should be allowed to attend, wearing the insignia of his office as priest, to which many people attached great importance. It had been objected that the Host might be elevated at such a time; but he had been told that nothing of the kind ever occurred at Catholic funerals. At any rate, precautions might be taken against it. All he asked was, that they should not touch the principle of the Bill. Then with regard to the introduction of the Jesuits and other orders into this country, he would remark that many distinguished members of the Roman Catholic Church had been members of these orders, such as Dr. Doyle, Dr. Troy, Father Mathew, and many others. There was at present a Catholic bishop in Wales, and there were several hundred clergy, both in Ireland and in this country, members of these orders. The state of the law upon this subject was most unsatisfactory at present; for, though there was a penalty against making a man a Jesuit in the United Kingdom, or a Jesuit or regular priest coming into this country from foreign countries, yet there was no penalty against it in any of the dependencies of the Crown; so that a Jesuit might be made in the Channel Islands, or in Malta, or the Isle of Man, and afterwards come into the United Kingdom without the breach of any law. He was willing to strike out of the Bill whatever might appear to be objectionable; and all he asked was, that the principle of the Bill might be affirmed, and that their legislation might appear to be liberal and tolerant. He had advocated this measure as in in accordance with the spirit of our Constitution. He asked for a vote on the ground of toleration; and he hoped they would remove this last rag of intolerance from the Statute-book, where it remained a stigma on Catholics, and a disgrace to Protestants.

The House divided on the Question, that the words proposed to be left out, stand part of the Question:—Ayes 119; Noes 158: Majority 39.

List of the AYES.

Aldam, W.
Anson, hon. Col.
Arundel and Surrey, Earl of
Bannerman, A.
Baring, rt. hon. F. T.
Bentinck, Lord G.
Bodkin, J. J.
Bouverie, hon. E. P.
Bowring, Dr.
Bright, J.
Brotherton, J.
Brown, W.
Browne, R. D.
Browne, hon. W.
Brownrigg, J. S.
Buller, C.
Buller, C.
Busfeild, W.
Byng, rt. hon. G. S.
Carew, hon. R. S.
Cayley, E. S.
Christie, W. D.
Clive, Visct.
Colebrooke, Sir T. E.
Collett, J.
Coote, Sir C. H.
Craig, W. G.
Currie, R.
Dalmeny, Lord
Dalrymple, Capt.
Damer, hon. Col.
Dawson, hon. T. V.
Dickinson, F. H.
Dodd, G.
Duncan, G.
Duncombe, T.
Dundas, Adm.
Dundas, F.
Dundas, Sir D.
Easthope, Sir J.
Ebrington, Visct.
Ellis, W.
Escott, B.
Evans, Sir De L.
Ewart, W.
Fitzroy, Lord C.
Forster, M.
Gill, T.
Granger, T. C.
Greene, T.
Grey, rt. hon. Sir G.
Grosvenor, Lord R.
Hatton, Capt. V.
Hay, Sir A. L.
Hervey, Lord A.
Howard, P. H.
Hume, J.
James, Sir W. C.
Jervis, Sir J.
Johnstone, Sir J.
Labouchere, rt. hon. H.
Lambton, H.
Lascelles, hon. W. S.
Leader, J. T.
Lincoln, Earl of
Macaulay, rt. hon. T. B.
Macnamara, Major
M'Carthy, A.
M'Donnell, J. M.
Maitland, T.
Marjoribanks, S.
Marshall, W.
Mitchell, T. A.
Moffatt, G.
Molesworth, Sir W.
Monahan, J. H.
Morpeth, Visct.
Muntz, G. F.
Mure, Col.
Napier, Sir C.
Nicholl, rt. hon. J.
O'Brien, C.
O'Connell, M. J.
Ogle, S. C. H.
Ord, W.
Paget, Col.
Parker, J.
Pattison, J.
Pechell, Capt.
Philips, M.
Plumridge, Capt.
Pulsford, R.
Pusey, P.
Rawdon, Col.
Rich, H.
Romilly, J.
Russell, Lord J.
Russell, Lord E.
Rutherfurd, A.
Sandon, Visct.
Sheil, rt. hon. R. L.
Smith, B.
Smythe, hon. G.
Somerville, Sir W. M.
Stansfield, W. R. C.
Strutt, rt. hon. E.
Tancred, H. W.
Thornely, T.
Towneley, J.
Trelawny, J. S.
Tufnell, H.
Vane, Lord H.
Wall, C. B.
Warburton, H.
Wawn, J. T.
Ward, H. G.
Williams, W.
Wyse, T.
Yorke, H. R.

TELLERS.

Watson, W. H.
Manners, Lord J.

List of the NOES.

Ackers, J.
Adderley, C. B.
Alford, Visct.
Allix, J. P.
Archdall, Capt. M.
Arkwright, G.
Austen, Col.
Baillie, Col.
Baillie, H. J.
Baillie, W.
Barrington, Visct.
Bateson, T.
Beckett, W.
Bennet, P.
Beresford, Major
Blackburne, J. I.
Blackstone, W. S.
Boldero, H. G.
Broadley, H.
Broadwood, H.

Brooke, Lord
Bruce, C. L. C.
Buck, L. W.
Buller, Sir J. Y.
Burroughes, H. N.
Cabbell, B. B.
Carew, W. H. P.
Chandos, Marq. of
Chapman, A.
Chelsea, Visct.
Chichester, Lord J. L.
Cholmeley, Sir M.
Christopher, R. A.
Chute, W. L. W.
Clerk, rt. hon. Sir G.
Codrington, Sir W.
Colville, C. R.
Compton, H. C.
Copeland, Ald.
Cripps, W.
Deedes, W.
Denison, E. B.
Dick, Q.
Douglas, Sir H.
Douglas, Sir C. E.
Douglas, J. D. S.
Douro, Marq. of
Duckworth, Sir J. T. B.
Duncombe, hon. O.
Du Pre, C. G.
East, Sir J. B.
Egerton, W. T.
Egerton, Sir P.
Estcourt, T. G. B.
Feilden, Sir W.
Fellowes, E.
Ferrand, W. B.
Filmer, Sir E.
Finch, G.
Fitzroy, hon. H.
Forester, hon. G. C. W.
Fox, S. L.
Frewen, C. H.
Fuller, A. E.
Gladstone, Capt.
Gooch, E. S.
Gore, M.
Gore, W. O.
Gore, W. R. O.
Goring, C.
Goulburn, rt. hon. H.
Granby, Marq. of
Gregory, W. H.
Hale, R. B.
Hall, Col.
Halsey, T. P.
Hamilton, W. J.
Hardy, J.
Harris, hon. Capt.
Hastie, A.
Heathcote, Sir W.
Henley, J. W.
Hildyard, T. B. T.
Hope, Sir J.
Hornby, J.
Hotham, Lord
Hudson, G.
Hussey, T.
Ingestre, Visct.
Johnstone, H.
Jolliffe, Sir W. H. G.
Jones, Capt.
Kemble, H.
Knight, F. W.
Knightley, Sir C.
Lawson, A.
Lennox, Lord G. H. G.
Leslie, C. P.
Lindsay, Col.
Lockhart, W.
Lowther, hon. Col.
Lygon, hon. G.
Manners, Lord C. S.
March, Earl of
Marton, G.
Masterman, J.
Meynell, Capt.
Morgan, O.
Morgan, Sir C.
Munday, E. M.
Newdegate, C. N.
Newry, Visct.
Packe, C. W.
Palmer, R.
Palmer, G.
Peel, J.
Plumptre, J. P.
Polhill, F.
Pollington, Visct.
Powell, Col.
Prime, R.
Rashleigh, W.
Reid, Col.
Rendlesham, Lord
Repton, G. W. J.
Richards, R.
Rolleston, Col.
Round, C. G.
Round, J.
Ryder, hon. G. D.
Sanderson, R.
Seymer, H. K.
Sheppard, T.
Shirley, E. J.
Shirley, E. P.
Sibthorp, Col.
Smith, A.
Smyth, Sir H.
Somerset, Lord G.
Sotheron, T. H. S.
Spooner, R.
Stuart, H.
Stuart, J.
Taylor, J. A.
Thesiger, Sir F.
Thompson, Ald.
Thornhill, G.
Tollemache, J.
Tower, C.
Troubridge, Sir E. T.
Turner, E.
Turnor, C.
Tyrell, Sir J. T.
Verner, Sir W.
Vyse, H.
Vyvyan, Sir R. R.
Waddington, H. S.
Walpole, S. H.
Wellesley, Lord C.

TELLERS.

Inglis, Sir R. H.
Law, C. E.

Committee put off for six months.

House adjourned at Six o'clock.

HOUSE OF LORDS,

Thursday, April 15, 1847.

Minutes.] *Took the Oaths.*—The Lord Gray.

Sat first.—The Marquess of Ailsa, after the Death of his Grandfather; The Lord Wodehouse, after the Death of his Grandfather.

Public Bills.—1^{a} Mutiny; Harbours Docks and Piers Clauses; Customs Duties; Fever (Ireland); Waste to Lands, &c. (Ireland).

Reported.—General Register House (Edinburgh).

Petitions Presented. By Lord Brougham and other noble Lords, from Dissenters of Whitby, and a great number of other places, against the proposed Plan of Government Education. — From Norwich and other places, for the Repeal of the present Law of Settlement, and for a National Rate for the Relief of the Poor.—From Glasgow and Stirlingshire, against the proposed Reduction of Duty on Colonial Spirits.—From Ipswich and other places, for the Repeal of the Poor Removal Act.—From Gainsborough, for the Enactment of some Law for the Conservancy of Tidal Harbours.—From the Gateshead and Worcester Unions, for a more efficient system of Relief for the Destitute Irish.—From Birmingham, in favour of the Government Plan of Education.—From Leeds, against the Use of Malt and Grain in Brewing and Distilling.—From Aberdeen, against the Navigation Act.

THE NEW HOUSE.

Upon this occasion their Lordships held their first sitting in their New House. The attendance of Peers and of strangers was so considerable, and the noise arising from their remarks and conversation was so great, that little of what passed could be distinctly heard.

IMMIGRATION OF IRISH PAUPERS.

Lord **BROUGHAM** presented a petition from the parishes of St. Andrew, Holborn, and St. George the Martyr, on the subject of the immigration of pauper Irish. The petitioners compared the amount of the rates to which they had been subjected before the 1st of December last, with those levied subsequently, showing an enormous increase. They added that nine out of ten of the poor relieved were from the sister kingdom, and that those paupers were brought over by a sort of contract, entered into in seaport towns by people who were very naturally anxious to get rid of the grievance themselves. He (Lord Brougham) would add that he had that morning received a letter from Liverpool, stating that the influx of Irish paupers was still increasing, and that the number arrived on Sunday last was 3,714, and next day the number which arrived was 2,486, making a total of 6,200 in two days. When he had first addressed their Lordships upon the subject, the complaint was that the influx amounted to 800 or 900 daily, but it was now 3,000 a day. He thought that some permanent measure on this subject would best be discussed after the cessation of the pressure. Temporary grievances should be met by temporary expedients, and they ought not to discuss permanent measures under the pressure of present circumstances.

EDUCATION.

LORD BROUGHAM said, that he held in his hand a great number of petitions, all on the same subject, and all strongly urging upon their Lordships not to give any countenance to what was called the Government system of education. He was fully prepared to take a share of the responsibility of the Government measure. He regretted that so much objection should be taken to so safe and harmless a measure. Money for the purposes of education had been granted for years, and the grant was not to be increased. In the Government plan, which had been reduced to writing, there was no change of principle. No new power was given to the Church Establishment, nor no power taken away from the Dissenters. He did not expect to live to see the Protestant Establishment overthrown, and the Roman Catholic religion established in its stead. He would rather perish than live to see that. The Protestant Dissenters, he thought, above all others, ought not to object to this plan. It was said that his (Lord Brougham's) Bill of 1820 gave no control in matters of education to the Church. It did give a certain control, and that was the ground on which it was opposed by the Dissenters. He wished to ask the noble Marquess whether the statement which he had seen was correct, viz., that the authorized version of the Scriptures would be required to be exclusively used in all these schools?

The MARQUESS of LANSDOWNE was understood to say, that he had had many petitions on both sides of the question forwarded to him, and that there was much misapprehension and a good deal of misconception abroad respecting the Minutes of Council. He was understood to say, that the Minutes of Council directed the use of the authorized version of the Scriptures in the schools, and it was quite untrue to say that there had been anything like a compact entered into by the Government and any class of Dissenters. The use of the authorized version of the Scriptures in the schools was not new, nor was it the first time that it had been directed by the Orders of the Council. The Government had acted on the same principles as those adopted in former Minutes of Council.

LORD BROUGHAM lamented that the measure had not been brought forward in the shape of a Bill, so that it might have received the sanction of Parliament in the usual way. If the use of the authorized version of the Scriptures were to be ordered in the Government schools, there were parties whose faith did not allow them to use it. He therefore felt compelled to agree so far with the petitioners against the measure.

LORD BEAUMONT concurred in the sentiments expressed by the noble and learned Lord. He regretted that such a resolution as that stated by the noble Marquess (the Marquess of Lansdowne) should have been adopted. The result would be to exclude from any benefit under this Act all persons who professed the Roman Catholic religion. There could be no doubt, that if the authorized version of the Scriptures was enforced in the schools, the clergy of the Roman Catholic Church would not allow the children of that communion to attend those schools; and, as the money by which they were to be supported would be paid out of the public purse, he held that some measure should be adopted which would extend the benefit to Roman Catholics, as well as to other denominations, for he believed the Roman Catholic population in the great manufacturing towns of the north of England, had fewer opportunities of obtaining secular education than any other portion of the community. He little expected, he must own, when his noble Friend (the Marquess of Lansdowne) rose, that he was going to make the explanation he did; for, though he had seen something of the kind announced in the public journals, he was unwilling to believe it, as a thing quite inconsistent with the public principles of the noble Lord—those principles of education which he had ever held, and which professed to afford a sound secular education to persons of all persuasions, while they left to each denomination the full opportunity to inculcate without the aid or control of the State, its peculiar tenets—principles which avoided controversy, and refused to interfere with men's free thoughts. While he was on his legs, he would take the opportunity of saying, that he thought the noble Lord (Lord Brougham) need not be alarmed at any means being taken to carry out a wish, which he said had been expressed somewhere, to upset the Established Church, and put the Roman Catholic in its place. He thought he could assure him that any such expectations were not commonly entertained. We had, besides, arrived at that period of history when diversity of opinion on religious questions was unavoidable; for while there was freedom of thought, he did not see any probability of introducing uniformity of religion. Knowing this, the Legislature should make universal toleration the basis of its measures for the mental improvement of the people.

Lord STANLEY presented several petitions, from dissenting congregations in the north against the Government scheme of education. In the prayer of the petitions, he must, however, state, that he could not by any means concur. He believed that the proceedings of the Government on the subject were in perfect accordance with the course which had been pursued since first an annual grant was established. He did not agree with the petitioners, that the voluntary system was adequate to the wants of the country, or that no funds should be voted by the State for the purpose of education. He thought, however, that it was clear from the statement of the noble Marquess opposite, that the Council—with or without communication to Parliament—would be enabled to alter, not only the details, but the principle upon which the grant of public money was to be applied. He conceived that these were very large powers to give to the Council; and, though he was aware that the assent of Parliament was necessary, he regretted, nevertheless, that a matter so important, and so extensive in its nature, was to be left to the discretion of the Government of the day. He had understood the noble Marquess to say, that it would be in the power of the Government, by issuing a second or third Minute, to alter the principle, even so far as it regarded the use in the schools of the authorized version of the Scriptures. Such a power was too extensive to be left to the discretion of the Council of Education, or to the Government; but, in other respects, he must say, that, as far as they went, he approved of the Minutes.

The Marquess of LANSDOWNE was understood to say, that receiving grants from Parliament from year to year, as the Government did for the purposes of education, they were obliged to lay down rules for the guidance of the schools; but, inasmuch as they had to ask Parliament from year to year for the votes of money, those rules became subjects for debate and consideration. The issuing of those Minutes of Council was not, therefore, on their parts, any assumption of irresponsible power, because they were subject to the control of Parliament. Formerly money used to be voted by Parliament, and the mode of outlay was afterwards arranged; but the Minutes of Council were now laid before Parliament, showing what was about to be done, and the grant was then to be asked for. In the former case it was not known by what authority, or under what regulations, rules were laid down; but now the authority was manifest and the mode known.

House adjourned.

HOUSE OF COMMONS,

Thursday, April 15, 1847.

Minutes.] New Member Sworn.—For Somerset (Eastern Division), William Pinney, Esq.

Public Bills.—1° Punishment of Vagrants &c. (Ireland); Transference of Lands (Scotland); Heritable Securities for Debt (Scotland); Burgage Tenure (Scotland).

3° and passed: Army Service; Troops during Elections; Prisons (Ireland); Exchequer Bills (£18,310,700).

Petitions Presented. By Sir P. Egerton, from Chester, for Alteration of Law relating to Marriages.—By Mr. A. Oswald, from Lorn, in Ayrshire, against the Marriage (Scotland) Bill.—By Mr. Marton, from Lancaster, for Repeal of the Maynooth College Act.—By Mr. Bankes and several other hon. Members, from a great number of places, against the Roman Catholic Relief Bill.—By the Earl of Arundel and Surrey and other hon. Members, from several places, in Favour of the Roman Catholic Relief Bill.—By Mr. Hindley, from three places, for Inquiry into Sunday Trading.—By Mr. Brotherton, from Leeds, against the Use of Grain in Breweries and Distilleries.—By Mr. Ward, from Sheffield, for Repeal of Duty on Copper Ore.—From Merchants, Shipowners, and Merchants of Gloucester, for Reduction of Lighthouse Dues.—By Mr. Bankes and other hon. Members, in Favour of the Rating of Tenements (No. 2) Bill.—By Mr. Ward, from Sheffield, for Reduction of Duty on Tea.—By Mr. Bouverie, from Merchants of the City of London, for Inquiry into the Bankruptcy and Insolvency Bill.—By a great many hon. Members, from an immense number of places, against the proposed Plan of Education.—By Mr. Busfeild and other hon. Members, from several places, in favour of the proposed Plan of Education.—By Mr. P. Howard, from Governor and Company of Chelsea Water Works, against the Health of Towns Bill.—By Mr. Bankes, from Carnarvon, for Inquiry respecting the Holyhead Harbour.—By Mr. V. Smith, from Northampton, for Alteration in the Municipal Corporations Act.

HOLYHEAD HARBOUR.

Mr. WARD moved, that the following Members be nominated the Select Committee on the Holyhead Harbour Bill: Viscount Morpeth, Mr. Ward, and Mr. W. O. Stanley. On the question, that Admiral Dundas be one of the said Committee,

Mr. FORSTER proposed that the name

of Admiral Dundas should be omitted, and that of Viscount Sandon substituted.

Mr. SPEAKER informed the hon. Member that he might move that the name of any Member be omitted from the list; but it was not competent for him to move the insertion of a Member's name without giving previous notice.

Viscount SANDON asked the Secretary to the Admiralty whether he intended to proceed with the Bill without having received the report of the Commission of Inquiry that was recently appointed? [Mr. Ward: Yes.] He regretted to hear it, and thought it would be advisable that the hon. Gentleman should wait till the Commission of Inquiry had made their report. That Commission was appointed to inquire into the expediency of selecting the locality which had been fixed on for the formation of the harbour; and it would surely not be very convenient to proceed with the Bill before the report of that Commission was before the House.

Mr. WARD begged to remind the noble Lord, that there was a distinct understanding at the time that the Commission was appointed that the Bill should not pass through the House before the report of the Commission should be received. Mr. Reynell, the engineer, had full instructions to institute an adequate inquiry into the security of the locality selected for the formation of the harbour, and that gentleman had reported favourably, and it was decided that the harbour should be constructed, and a money vote was taken for that purpose. The only question submitted to the Commission was, whether the site of the harbour was open to those objections which had been recently urged against it. Surely there could be no necessity that any delay should be interposed in proceeding with the Bill in the meanwhile. As to the composition of the Select Committee, the Government had no object whatever in appointing any particular set of Members on it. Any gentleman who was desirous to serve, was at perfect liberty to do so; and if the noble Lord was anxious to be on the Committee, he had not the least objection.

Viscount SANDON thought there was a distinct understanding that no further progress should be made in the construction of the harbour until the report of the Commission should have been obtained.

Mr. WILLIAMS said, that this was a question of great importance, involving an outlay of the public money to an enormous extent. He was astonished that the hon. Member the Secretary to the Admiralty should have brought forward this question until the Commission had made their report. It was not only important that the House should be convinced of the security of the foundation on which the harbour was to be constructed, but it was also most important that the amount of money to be expended in carrying out the work should be ascertained. He believed it would appear that upwards of 200 different descriptions of property had been purchased for the formation of the harbour; and some engineers of very eminent standing had pronounced it as their opinion, that instead of the cost of the undertaking being 600,000*l.*, which was the estimated amount, it would be at least 1,500,000*l.*, and that even with that expenditure it never could be made a complete harbour of refuge. Looking at the names proposed to constitute this Select Committee, he must say a more packed Committee he never had seen. He could not discover a single individual the hon. Gentleman had nominated who was not in some way connected by interest with that part of the country—he did not mean that they were individually interested, but through the medium of their constituents; though some of them, he believed, were even directly interested in the establishment of the harbour by being possessed of large property in that part of the country. He trusted, if a Committee were appointed, it would at least be one free from this objection. But the hon. Gentleman ought not to proceed till the Commission had made their report. Was it that the hon. Gentleman anticipated a report unfavourable to the prosecution of this work, and that he wished to have it in his power to bear down any such report by a counter report from a Select Committee of that House? He (Mr. Williams) could just imagine the possibility of such a thing.

Mr. W. O. STANLEY observed, that if the hon. Member would read the form of the Motion as it appeared upon the Notice Paper, he would see that it only contained the names of ten Members out of the fifteen that were required to form the Committee. Those ten were those Members who were locally interested in the question; and the appointment of the five additional Members, who would have no interest to connect them with the formation of the habour, was to be made by the Committee of Selection. This was no new question. Last Session it was discussed; and the hon. Member (Mr. Williams) on that occasion put questions as to the competency of the engineer employed, and as to the expediency of the locality for the formation of the harbour, and the hon. Gentleman then appeared to be perfectly satisfied, and allowed the grant to pass. This Committee was only to inquire into certain points, and not to stir the question of locality.

MR. WARD was quite ready to postpone till to-morrow the appointment of the Committee. The fact was, that it did so happen that he had not seen the names till he saw them on the Votes that morning; and he did not know by whom the Committee had been settled.

Motion withdrawn.

MASTERS' OFFICE IN CHANCERY.

MR. HUME wished to ask the noble Lord the First Lord of the Treasury a question with respect to the Court of Chancery. He had moved on a former day for any report made by the Commissioners appointed in 1842. He had since found that though they were appointed and agreed in certain suggestions, they had made no absolute report. What he now asked, therefore, was, whether, as there was now a vacancy in the office of a Master in Chancery, Her Majesty's Government were about to make any alterations according to the plan entertained by the Commissioners—namely, by abolishing the office of Master in Chancery altogether, and by appointing additional Judges in each court? The noble Lord would recollect, that the Act 4 and 5 Victoria gave authority to the Lord Chancellor, and to other officers, to make any changes. That Bill lasted for five years; and, having expired, a new Bill to revive it was passed in 1845; but nothing had been done as yet. He wished to know, therefore, whether the present vacancy would be filled up, or whether, in consequence of such vacancy, such changes would be made in the Court of Chancery as would be beneficial to the suitors.

LORD J. RUSSELL would state, in answer to the first point to which his hon. Friend had referred, with regard to filling up the office of a Master in Chancery, that the Lord Chancellor, having turned his deliberate attention to the subject, and having considered that when the Equity Exchequer was abolished, an additional Master was appointed, had come to the conclusion that the arrangement of the duties was such that it was not now necessary to appoint a Master in lieu of the one who had recently resigned; and, therefore, it was not intended by Her Majesty's Government to appoint a Master to fill the vacancy which now existed. With regard to the other question, it was impossible to say that the Lord Chancellor or the Government could adopt any recommendations which had never been embodied in any report, or in a formal way; but the subject had engaged the attention of the Lord Chancellor, and he had under his consideration reforms of considerable importance. His hon. Friend referred to the Bill of 1845; but it must be recollected that the present Lord Chancellor had come into office since 1845; and he assured his hon. Friend, that, besides discharging the regular duties of his office, the present Chancellor had considered several changes which would be very beneficial to the suitor's interest.

MR. HUME said, that as the noble Lord had stated that there was no official report of the Commissioners' resolutions, he wished to know whether there would be any objection to allowing a Committee of that House to be appointed to collect this information, and to bring it in a tangible manner before the public?

LORD J. RUSSELL thought it would be better to allow the Lord Chancellor to consider the general recommendations; and if the House should not be satisfied with what was proposed to be done, it might be advisable to appoint a Committee.

JEWISH DISABILITIES.

MR. SPOONER wished to renew a question which had been asked the other evening, as some misapprehension existed as to the noble Lord's reply. The question was, whether it was the intention of Her Majesty's Government to remove those disabilities which now prevented persons of the Jewish religion from taking their seats in that House? He understood the noble Lord to state, that no such intention existed; and he had likewise understood the noble Lord to state, that he would not say whether he might not bring in a general measure with reference to the subject of civil disabilities. What he now asked, therefore, was, whether it were the intention of the noble Lord during the present Session to bring in any measure which, though it might not be specifically intended to remove those disabilities, would, in point of fact, involve their removal?

Lord J. RUSSELL said, the hon. Gentleman was correct in stating that his former answer had not been generally understood, though the hon. Member had collected the sense of what had fallen from him. It was not his intention to bring in any specific measure to alter the law and enable Jews to sit in Parliament; but, if any general measure should be introduced with respect to a change in regard to oaths to be taken, it might form a part of such general measure to take into consideration the words which prevented the Jews from holding certain offices and from sitting in Parliament. He did not at all intend to propose such a measure in the present Session; but he would not give any absolute pledge that he would not afterwards undertake such a measure.

EDUCATION—MINUTES OF COUNCIL.

Sir JAMES GRAHAM: I wish to ask the noble Lord at the head of Her Majesty's Government a question, of which I have given him notice, with respect to the Minute of Council of Education, which has been laid on the Table this Session. There are two points on which I think it highly desirable that no doubt should be allowed to remain in the minds of the public, and to which my questions shall refer. The first question I would wish to ask the noble Lord is, whether under that Minute of Council it is intended that, as heretofore, no aid should be given to any school that is not in connexion with one or other of the two societies—the National Society, and the British and Foreign Society? And if the noble Lord should answer that it is the intention of Her Majesty's Government to carry the aid to be afforded beyond that limit; then the second question to which I would wish to call the attention of the noble Lord relates to a point that I perceive has been recently put forward by a learned divine—a Prelate of the Established Church—who stated that a distinct pledge has been given by the Government to the effect that none but the authorized version of the Scriptures should be used in any school receiving Government aid. I wish to ask the noble Lord whether any limit such as that has been assigned, and also whether the aid is to be confined to schools using the authorized version of the Scriptures only?

Lord JOHN RUSSELL: I will endeavour to explain to the right hon. Gentleman and to the House how the matter stands with respect to which he asks these two questions. I can state, in the first place, that no alteration is made by the Minute of 1846, which has been laid on the Table of the House, with respect to the granting aid to any schools not in connexion with the National Society or with the British and Foreign Society, or with respect to granting aid to schools which do not use the authorized version of the Scriptures. But there have been inquiries made with respect to the intentions of the Committee of Privy Council on these points; and in the answer that has been given, reference has been made to the Minutes of the Committee of Council of 1839 on this subject. Previously to 1839, the rule was, that aid should only be granted to schools that were in connexion with these two societies; and the awards were always made to these societies in the first instance. In 1839, however, it was laid down by the Committee of Council that they would be ready to consider other applications that did not come through either of these societies, but that any such applications must be considered as special cases, and that aid, if given, would be considered as special. It has been lately intimated by the Lord President of the Council (the Marquess of Lansdowne), that he is ready to act on that Minute, and he does not think that the Committee of Council would insist that there should be a special case made out in each instance, but that in any case of application for assistance or aid to be given, he thought the Committee of Council would, in such case, grant aid to schools not in connexion with the schools of these societies. He also referred in his answer to another question, namely, the decision of the Committee of Council in 1839, in which it was declared, that in all schools so aided the authorized version of the Scripture must be used. That was the decision made in 1839, and which I believe —though there have been some two or three cases of Roman Catholic schools brought under the consideration of the Committee of Council—has not since 1839 been departed from. But Lord Lansdowne thought it necessary to add, in order to prevent any misconception on the part of those to whom that answer was given, that although the Minute declared that the authorized version of the Scripture must be used in its integrity in any school to which such aid was given, neither he, nor, he believed, the Committee of Council, would feel themselves at all precluded from preparing, or agreeing to other Minutes by which aid might be given to Roman Catholic schools, in cases where they thought fit, from the constitution of such schools, that aid should be granted. Those to whom he gave that information said they understood the present Minutes to confine the aid to schools in which the authorized version should be used, and that when those further Minutes were made known, they would be ready to offer them such opposition as they might think themselves bound to offer. I may say that no such Minutes have yet been agreed to. It is a subject that requires very mature deliberation; and I am not prepared to say that there may not be certain cases of Roman Catholic schools in which it might not be fit to give aid. But the terms of the limits to be set require very deliberate consideration, and these terms of the Minute will be maturely considered, and will be submitted to the House before any aid is asked for educational purposes from this House.

Sir JAMES GRAHAM: As I understand the noble Lord, the Minute of Council, as it now stands, declares that no aid can be given to any school in which the authorized version of the Scripture is not used?

Lord JOHN RUSSELL: I beg again to say, that this regulation is not made by the Minute of Council of 1846, now under consideration, but that it follows from certain Minutes of Council of 1839.

Mr. T. S. DUNCOMBE wished to know if the noble Lord intended to persevere with his application in aid of education on Monday. He thought that after what had just fallen from the noble Lord, it would be better for him to postpone the further consideration of this question until the further limits to which he alluded were considered.

Lord J. RUSSELL: There is no need whatever of waiting for the settlement of these further limits, because everything that will be asked for on Monday will be expended under the limits that are already before the House. I may add, indeed, that it appears many parts of the subject which were done years ago are now sought to be undone.

COLONIAL RELIEF FOR IRELAND.

Mr. HAWES laid on the Table of the House a copy of a despatch which had been received by the noble Lord at the head of the Colonial Office, communicating the fact that a sum of 1,200*l*., being the first instalment from British Guiana in aid of the subscriptions for the relief of the distress in Ireland and Scotland, had been voted by that colony. He might take that opportunity of adding, that a grant of 2,000*l*. had already been transmitted from the Island of Barbadoes to the British Association for the relief of the distress in Ireland.

SHIP THETIS.

Viscount INGESTRE moved—

> "That a Select Committee be appointed to inquire into the circumstances relative to the recovery of Treasure and Public Stores sunk in Her Majesty's late frigate *Thetis*, off Cape Frio, in 1830."

He begged to premise that he did not want the Treasury to pay away money as a gift, but to render up that which had been unjustly obtained from a body of men who exerted themselves most laudably in saving a vast amount of treasure from the wreck of Her Majesty's frigate *Thetis*. She was sunk in water from six to thirteen fathoms deep, under a steep shore; and had it not been for the exertions, bravery, and mechanical skill of Captain Dickinson, 164,000*l*. which she contained would have been lost. Out of this sum, through the exertions of that officer, a sum of 157,000. had been recovered, besides a certain amount of stores. The enterprise was one of a most arduous character, from the position in which the ship was lost—the wreck being sunk in the open sea, in a situation exposed to a heavy swell whenever there was any wind, and also from the absence of any mechanical apparatus suited for operations of that description. Out of the common ship stores Captain Dickinson constructed a diving bell; of the fire engine he made an air pump; and with the hose he fed the diving bell with air. On obtaining permission from the Board of Admiralty in 1831 to undertake this duty, Captain Dickinson was told that the Board would sanction no expense; but it was most unjust to extend this limitation to the maintenance of the crew and the wear and tear of the vessel. In 1834 an adjudication was made by the Court of Admiralty; but the salvors thought the decree unfair, and carried the question before the Privy Council, which awarded them a larger share. The Admiralty, however, got a large sum, and he wished to know what had become of the money paid to the Admiralty. It was said to have been carried to the Naval Service account; but he had not succeeded in finding it mentioned in any of the Navy estimates. He did not ask the House by his Motion to sanction any advance of the public money, but merely to order a Committee of Inquiry to ascertain whether money had not been unjustly detained from the salvors, and whether it ought not to be given up to that very worthy body of individuals. The Admiralty made a charge for victualling the men, for stores, and the wear and tear of the vessels employed on the service; but he maintained that they had no right to make any such charge, seeing that the vessel was never off the station, and was always ready for other service when she was wanted. In fact, they were only employed on this duty when they would otherwise have been idle. He trusted that, under the circumstances, the House would sanction his Motion for the appointment of a Select Committee on the subject.

Captain PECHELL seconded the Motion, and said that of all the cases that had ever presented themselves to his notice, this was, he considered, the most extraordinary. He believed that every discouragement had been given by the Board of Admiralty to the undertaking of the enterprise originally. The hon. and gallant Member read an extract from the petition of Captain Dickinson, to show the very severe labour and hardships which the crew had to undergo, and said that he thought that they had been most unjustly treated by the Admiralty. He was much surprised that Captain Dickinson had not overhauled the bill sent in by the Admiralty, for it exhibited as great an instance of plunder as was ever seen in this or any other country. In that bill the Admiralty charged for the wages of tha seamen of three ships for fourteen months, although one or two of the ships were absent for some months upon other service. He disputed the right to make any charge at all. Yet 2,193*l.* was charged for the use of the ships. And what would be thought of the conscience of the Board of Admiralty in charging 1,463*l.* for the use of that horrid ten-gun brig, the *Algerine?* Why it was 1,400 times more than the vessel was worth. They also charged 2,543*l.* in excess for the victualling of the seamen employed; and although Captain Dickinson saved stores to the amount of 2,124*l.*, he was charged for wages and victualling during their recovery. Altogether an overcharge of 6,861*l.* was made by the Admiralty. Now, suppose Captain Dickinson had not been successful, would the Admiralty have ventured to charge him 13,000*l.*? Certainly not. Yet because he was successful, they made this charge; and he thought his case would be a lesson in future to all parties in such circumstances to keep their money in their own hands, and not to go into any Admiralty Courts, but pay all the bills themselves. He gave his cordial support to the Motion for a Select Committee.

Mr. PARKER, on the part of his right hon. Friend the Chancellor of the Exchequer, and his hon. Friend the Secretary of the Admiralty, should meet this proposition with a negative. He did not mean to prejudice Captain Dickinson, if he reminded the House how great an interval had elapsed between the period when the transaction occurred, and that at which the noble Lord asked for a Committee. But the House must feel that in Parliament, as well as in other courts, it was necessary to have something like a statute of limitations. This case had, however, been examined and disposed of in the ordinary course by the ordinary tribunals, before whom it had been kept for a period of fourteen or sixteen months. When the hon. and gallant Officer said the Admiralty Bill was an extraordinary one, it should be borne in mind that this was an extraordinary transaction. The service was for the benefit of the consignees of the treasure, and of the underwriters in London; and the remuneration charged was not at all unreasonable for the time and trouble of the vessels employed and their crews. In 1833, the case came before the High Court of Admiralty; and the parties who now objected to the Admiralty's claim of 13,000*l.* appeared against it. The court awarded 17,000*l.* to the salvors, 13,000*l.* to the Admiralty bill, and 12,000*l.* for incidental expenses. Whether these sums were too much or too little, he was incompetent to say; the parties, however, were dissatisfied with the decision, and they appealed to the Judicial Committee of the Privy Council. That tribunal, by its decision, added 12,000 to the 17,000*l.* previously awarded to the salvors, but no change whatever was made with reference to the Admiralty charges. [Captain Pechell said, that question was not argued.] It might have been argued, and he had a right to take it for granted, that if the parties had been so dissatisfied then as they appeared to be now with the Admiralty accounts, they would have submitted the question to the court. Had they at that time urged any objections, no doubt the same views of justice and equity which prompted the Judicial Committee to add 12,000*l.* to the sum previously awarded to the salvors, would have led to a review of the decision as to the 13,000*l.* Since that period the whole case had been revived, and several applications made to successive Administrations, none of whom conceived themselves justified in departing from the decisions of the courts of law. The right hon. Gentleman the late Chancellor of the Exchequer (Mr. Goulburn), came to the same conclusions respecting it as his predecessors. He trusted, therefore, the House would feel the importance of allowing these claims to remain as they had been decided by the proper jurisdiction. Under the circumstances, it was his duty to resist the proposition.

Sir C. NAPIER contended, that the hon. Gentleman the Secretary to the Treasury (Mr. Parker) had not given any answer to the case opened by the noble Lord. The hon. Gentleman had referred to the decisions of the Court of Admiralty as conclusive against the Motion, and said there must be a statute of limitations to clauses such as these. But he begged to remind the House, that since the decision Captain Dickinson had constantly been making applications for a reconsideration of his case; and it must be recollected that officers in the Navy did not usually come before the House without some absolute necessity. The noble Lord (Viscount Ingestre) would have brought the case under the notice of the House three years ago; but he was stopped by Sir George Cockburn, who stated the Admiralty were about to satisfy Captain Dickinson. The argument as to lapse of time was worth nothing whatever. It only proved, what was well known before, that no Chancellor of the Exchequer would pay money if he could help it. The Admiralty, he maintained, had no right to charge as they had, and he considered it was a most shabby affair on their part.

Sir J. GRAHAM: The hon. Member or Sheffield (Mr. Parker) had said, that he was discharging a painful duty in resisting the application of the gallant and distinguished Officer for pecuniary compensation, in a case where he had sustained an undue loss. He was bound to say that the decision of which Captain Dickinson complained, was a decision in respect to which he (Sir J. Graham) was officially responsible, and he therefore felt it to be his duty to sustain the view taken by the hon. Secretary of the Treasury. That decision was adopted at the Board of Admiralty in 1832, when he had the honour of presiding there under the Administration of the late Earl Grey. He now observed upon the benches opposite two of his then Colleagues, the right hon. Gentleman the present Secretary for Ireland, and his hon. and gallant Friend the Member for Gloucester. He was quite sure their recollections would concur with him in what he was about to state. Their decision was adopted after full and ample consideration; and they had the advantage at that time at the Board of two most eminent naval officers, by no means disposed to view with harshness or severity the claims of their brother officers, but to offer due consideration to such claims, at the same time they were actuated by a love of the public service, which rendered them incapable of concurring in any decision which would be unjust to the officers on the one hand, or a prodigal or needless waste of public money on the other. Those officers were Sir T. Hardy and Admiral Dundas. What was the decision of which complaint was made? That the Board of Admiralty had come to a decision, that, considering all the circumstances of the case, it was just to deduct from the salvage the amount of stores exhausted, or used, belonging to His Majesty in this particular service. The Admiralty, exercising their judgment to the best of their capacity, aided by the high authority of Sir Thomas Hardy and Admiral Dundas, came to the conclusion that 13,000*l.* or 14,000*l.* was not an extravagant sum to ask. The matter came under the decision of the Admiralty; then, upon appeal, for a decision of the Privy Council. It also came under review of the Administration of Lord Althorp in 1834, the Board of Admiralty of 1836, the Treasury of 1836, and Sir Robert Peel's Government in 1842. For the adoption of the original decision he was responsible, aided by the authorities he had mentioned; and as to the salvage itself, the question had been decided by two judicial tribunals. The original award was, that the amount of salvage should be 17,000*l.*; on the further hearing, on appeal, an additional sum of 12,000*l.* was awarded by the Privy Council; and considering the lapse of time, he thought they had been amply and sufficiently rewarded, and that any augmentation of the salvage would be public money improperly applied.

MR. WAKLEY regretted that the speech of the right hon. Baronet (Sir J. Graham) had been the only speech on this question which had been heard by the House. He very much wished the House had heard the speeches of the noble Lord (Lord Ingestre), and the hon. and gallant Captain the Member for Brighton (Captain Pechell). Unfortunately, however, the House was but too ready to vote on such a question without hearing it. The right hon. Baronet who had just addressed the House had so clear a method of speaking, that he was always understood, and he spoke, too, so smoothly and so blandly that he always carried the House with him. He had always found those who were Ministers and those who had been Ministers agreeing on these questions. The right hon. Baronet said, the claim had been decided in such a manner when he was in office, and that it was therefore his duty to vindicate his decision. He did not see this at all. The right hon. Gentleman might have found that on this as on some other questions he had been egregiously wrong, and that he had made as gross an error on this as on other occasions. The official answers to claims of this kind might be stereotyped and cast in metal. He had never known an instance in which some such answer as this was not given—"This case was decided in such a year and in such a manner." The possibility of the decision having been unjust, never seemed to occur to those in office. The House was left to infer that Captain Dickinson had merely proceeded to recover the treasure of the *Thetis*, in execution of the orders given him. But the fact was, the idea of recovering the treasure originated in the fertile and scientific mind of Captain Dickinson, and that it was entirely through him that any portion of the treasure had ever been recovered. Was it not the fact that Admiral Baker thought it a perfectly wild scheme, and that the Admiralty were of the same opinion? Let the House remember that the money was sunk at the depth of from thirty-nine to seventy-five feet below the surface of the ocean; that the spot was thousands of miles from this country; and that Captain Dickinson consequently was deprived of many of the aids and appliances which he could have obtained at home. That with the rude and savage things at his command—so that he was compelled to make a diving-bell out of his fire-engine—on board what had been properly called "a horrible brig"—that he should have recovered 124,000*l.* out of 164,000*l.*—the gentleman who was appointed to succeed him making up the amount to 157,000*l.*—all these things proved that when Captain Dickinson returned home after his extraordinary success, he ought to have been most amply rewarded, and been one of the first naval officers who received promotion. He declared that this claim on the part of the Admiralty was paltry and disgusting; that it was one of the most huxtering, mean, contemptible, and Shylock-looking affairs he ever heard of. Why, what was the nature of the assistance received by Captain Dickinson from the Board of Admiralty? He applied for a hawser; and what was the answer he received? Captain Dickinson commenced his work in January, 1831; in June he made this application for a six-and-a-half inch hawser; and in October he was told that the Board of Admiralty had directed "that no expense should be incurred on the public account in recovering the wreck of the *Thetis.*" The Board of Admiralty, it was notorious, thought the recovery of the treasure hopeless; the right hon. Baronet himself thought so; and they refused him the paltry assistance of a six-and-a-half inch hawser to recover a wreck of 160,000*l.*, because they determined that no public expense should be incurred in such a frantic wildgoose chase. How much better it would be if men in office, when they discovered that a wrong had been done, would make reparation. Captain Dickinson had exhibited infinite scientific skill; his exertions were crowned with success; but he unwisely parted with the money, and paid it into the Bank, upon which another party put in a claim as chief salvor. Litigation commenced, and then, at the eleventh hour, and at the fifty-ninth minute of the twelfth hour, the Administration came in with its nasty bill of costs. How the right hon. Baronet, with his magnanimous mind, and how the naval officers at the Board of Amiralty (he did not, by the way, believe they knew anything about it) could have sanctioned such a claim, he could not for his life understand. No doubt the Board referred to their dirty journals with the view to sustain their unjust decision by precedents; but none such could be found. The Admiralty charged 6,582*l.* 12*s.* for the wages and men of this "horrible brig" for fifteen months. There was another charge for victuals, as if the men would have eaten nothing elsewhere, and when, moreover, Captain Dickinson was ordered to keep his vessel ready for service. Other charges were 1,000*l.* for naval stores, and 2,000*l.* for wear and tear. The right hon. Baronet wished the House to understand that the question had been argued before competent tribunals; but this claim of the Admiralty had never been argued before a competent tribunal, for it was made where it could not be argued. Under these circumstances was not inquiry to be granted? The year 1833 was that in which the recovery was effected. Now, he wished to know where they would find credit given to the public for this 13,800*l.*? Unless this could be satisfactorily explained, it was evident that the House would not discharge its duty to the people, if they did not grant the Committee which was now moved for. He was informed that a careful and vigilant examination of public documents had been made, and that no account could be found of the receipt or disposal of this money. He considered, therefore, that the House was bound to grant an inquiry, unless it was prepared to sanction not only a misappropriation of the public funds, but the grossest injustice towards the officers of Her Majesty's Navy. He hoped, indeed, that the Government would see, from what had passed during this discussion, that they would suffer in character if they persisted in opposing the appointment of the Committee moved for by the noble Lord; and he must admit that he would think the House chargeable with gross injustice if they refused to adopt the noble Lord's proposition.

Captain GLADSTONE stated, that he was serving on the South American station when the loss of the *Thetis* took place, and he thought it his duty to bear testimony to the skill and exertion displayed by Captain Dickinson and the officers and men engaged in the recovery of this treasure from the wreck. Certainly no one at Rio Janeiro had the remotest expectation, at the time the *Thetis* was lost, that any portion of the treasure could be recovered. He observed that a charge was made by the Admiralty for the provisions of the able seamen employed upon the wreck; and he might inform the House that he believed a great proportion of those seamen belonged to the guard-ship or flag-ship lying in the harbour of Rio Janeiro, and which had been lying there doing nothing for eighteen months previously. This was, he believed, the first occasion on which any demand had been made for expenses incurred by Her Majesty's ships when engaged on extraordinary service; and he thought it strange that this case should be selected for enforcing such a claim, for he would venture to say, that the skill, and the enterprise, and perseverance, of the officers and men employed in the operations, had been greater than had ever been displayed on any similar occasion. He felt bound, therefore, to vote for the Motion of the noble Lord.

Mr. THORNELY wished to ask, whether the High Court of Admiralty and the Committee of Privy Council were aware that the amount of salvage awarded was to be liable to a charge on the part of the Admiralty of 13,800*l.*; because it was possible that, had the courts been aware that such a claim would be made, they might have awarded a much larger sum to the salvors?

Sir J. GRAHAM observed, that perhaps he might be allowed to answer the question. He was speaking merely from recollection, for he had not refreshed his memory by any recent reference to documents on this subject; but, unless he was much mistaken, when the case was heard in the last resort, before the Committee of Privy Council, this claim of the Admiralty was taken into consideration by the Council before they awarded to the salvors the additional sum of 12,000*l.*

Dr. NICHOLL considered that the charge made on account of the wear and tear of the ships employed in these operations was quite unprecedented. What, he would ask, was the great object of maintaining our military marine in a time of peace, except for the protection of our general commerce? If the claim of the Admiralty in this case was to be sanctioned, as well might it be said that when the property of our merchants in foreign ports was placed in jeopardy, and ships of Her Majesty's Navy were sent for its protection, that those merchants were bound to pay the expense of those ships during the time they were employed on such service. As well, too, might it be said, that a homeward-bound fleet ought to pay for the assistance of the ships of war sent out to the chops of the Channel to furnish them with supplies of water and other necessaries. In cases of this kind, such a claim had never been heard of. His right hon. Friend (Sir J. Graham) had gallantly undertaken the responsibility in this case; but he must acquit the right hon. Baronet of a great part of that responsibility, for, although the right hon. Baronet was First Lord of the Admiralty at the time the claim was made on the part of the board, the circumstances of the case had never been brought before him. It had been said that this question had been over and over again adjudicated upon in the High Court of Admiralty and elsewhere; but this was a total misconception. The amount of the claim made by the Board of Admiralty before the High Court of Admiralty for the wear and tear of the ships employed on this service, was not disputed; and it was clear that, if the Admiralty thought fit to make that claim, the High Court of Admiralty had nothing to do but to admit it, unless the *quantum* was disputed. The *quantum* was not disputed; and, therefore, the High Court of Admiralty never did adjudicate upon the claim. He had a very strong impression that, when this matter was mentioned in the High Court of Admiralty, the Judge said, "I have nothing to do with the question; the *quantum* is not disputed; it is a question for the Board of Admiralty." He ventured to say, therefore, in reply to the statement that this question had already been adjudicated upon, that there had been, in fact, no substantial decision on the subject. Before the Judicial Committee of the Privy Council, the appellant was Captain Dickinson alone, as Admiral Baker and Captain De Ros did not appeal, and the respondents were the underwriters. The question for the Judicial Committee to decide was, what was a fit sum to be paid by the underwriters for the salvage of their property? The Privy Council decided that the amount to be paid was 54,000*l.*; but they said, "Unfortunately, the Admiralty have made a claim for 13,800*l.*, with which we cannot deal." That, he maintained, was the effect of their decision. They were aware that they had no power to deal with the 13,000*l.*; but they awarded 54,000*l.* to be paid by the owners of the property to the parties entitled to the salvage. It was upon the decision of the Board of Admiralty, and not of the High Court of Admiralty or of the Judicial Committee of the Privy Council, that this claim of 13,000*l.* was founded. He must express his regret that this subject had been brought before the House; and he thought, if the Government would hold out any hope that they would give the matter patient consideration, the better course would be to leave the subject in their hands. If, however, they could not hold out such an expectation, he would vote for the Motion of the noble Lord.

Mr. HUME observed, that the right hon. Baronet opposite (Sir J. Graham) had stated that his Colleagues in the Board of Admiralty had all concurred in the propriety of the claim made on their behalf upon the salvors of this treasure. The right hon. Gentleman, however, must have made that statement under some misapprehension, for he was authorized to say that Sir Thomas Hardy, who was then at the board, expressed to his Colleagues his dissent from their decision. He considered that in this case the Board of Admiralty had pursued a huxtering course. They had charged a sum most disproportionate to the actual cost of the ships for their service, and they had claimed payment for the maintenance of the seamen who would otherwise have been wasting their time in idleness and inactivity. It appeared, indeed, as if the Admiralty were desirous that the crews of our ships of war should remain in a state of complete repose, instead of being employed upon services which might encourage a spirit of gallantry and enterprise. He never saw such a bill as that which had been drawn up on the part of the Admiralty, and which was signed by "W. Symonds, Surveyor of the Navy." A sum of 1,527*l.* was charged for the services of the *Lightning* corvette, and the wear and tear was calculated as for seven years' service. He must remind the House that the ships were not actively employed in the operations, which were carried on by their boats, while the ships lay snugly at anchor. Yet a most exorbitant demand was made for the services of the *Algerine*, a 10-gun brig, which soon afterwards foundered at sea, and all her crew were lost. Indeed, out of ten of these 10-gun brigs, nine had been lost. After three of those ships had been lost, he brought the subject before the House. Since that time, the remaining ships, with one exception, had also been lost. He had no doubt that the 13,800*l.* had been received at the Exchequer, although no trace of it could be found. But the question they were called upon to decide was, whether they would sanction the imposition of a fine of this amount upon men who had rendered good service to their country. He should have thought, that in a case of this kind, a desire to hold out an inducement to other officers to imitate the example of Captain Dickinson and his gallant companions, would have led the Board of Admiralty to pursue a different course; but, if such a line of conduct was persevered in, there could be no doubt it would have the effect of discouraging similar enterprising exertions on the part of those engaged in the public service. He believed that, if the Government would give this matter consideration for twenty-four or forty-eight hours, they would see reason to change their views on the subject. He thought the statements that had been made must have convinced the noble Lord (Lord J. Russell) that the Admiralty had been wrong in this instance; and he would not ask that noble Lord to be liberal, but he would call upon him to be just.

The LORD ADVOCATE considered that a most improper attempt had been made to conceal the true merits of this case, and he thought it right that the House should be fully informed as to the real circumstances. The facts of the case, as had been observed by an hon. Gentleman opposite, lay in a nutshell. After the recovery of the treasure from the wreck of the *Thetis*, a claim for salvage was made in the High Court of Admiralty by Captain Dickinson, whose merits he was not in the least inclined to undervalue, and by others. Before the proceedings in that case terminated, a claim was given in, on the part of the Lords of the Admiralty, for certain expenses which had been incurred by the country in consequence of the employment of Her Majesty's ships in the recovery of this treasure. The right hon. Gentleman opposite (Dr. Nicholl) had said that the Court of Admiralty had no jurisdiction in the matter, because the *quantum* was admitted. Why, then, was the *quantum* admitted? They had all the persons before the High Court of Admiralty who could have been parties in the case. They had Captain Dickinson as the claimant of salvage; they had the Lords of the Admiralty claiming certain expenses; and they had a third party, who were watching their own interests—the owners or consignees of the recovered treasure. The result of the proceedings in the Court of Admiralty was, that the Court ordered a sum of 17,000*l.* to be paid to the salvors; and by the same judgment they awarded to the Lords of the Admiralty 13,000*l.*, this sum of 13,000*l.* not to be deducted from the 17,000*l.*, but to be a separate payment. But the parties were not content with this decree. Captain Dickinson said, and, as the result showed, quite rightly, "The allowance you have made us, as salvors, is a great deal too small." He (Captain Dickinson) took an appeal to the Judicial Committee of the Privy Council, who affirmed the decree of the High Court of Admiralty, giving 13,000*l.* to the public, or to the Board of Admiralty, and who not only affirmed the decree of the Admiralty Court, in so far as to give 17,000*l.* to the salvors, but who went a great deal further, and gave an additional sum of 12,000*l.* to Captain Dickinson, and those engaged with him in the salvage. Captain Dickinson and the salvors drew the sum of 29,000*l.*, and the sum of 13,000*l.* was paid separately to the Board of Admiralty. The question before the Privy Council was whether the sum of 17,000*l.* previously awarded by the High Court of Admiralty to the salvors was sufficient or not. Captain Dickinson and the salvors maintained that it was not sufficient; and the Privy Council, taking into consideration all the circumstances—the skill and energy manifested by Captain Dickinson, and the difficulty of recovering the treasure—said, "We sustain this claim at the instance of the public, as a just claim for expenses; but, looking at the exertions of Captain Dickinson and his assistants, we give them an additional sum of 12,000*l.*, making the amount payable to them for salvage 29,000*l.*" This took place in 1833 and 1834. It was now proposed, in 1847, that the whole matter, which came legitimately under the cognizance of that Court, should be reconsidered, and it was asked that the claim of the Admiralty, though the *quantum* was admitted at the time, should be disallowed, on the ground that the account was absurd and extravagant in its nature. He thought that it was impossible that the House could accede to such an application. If it were acceded to, and the solemn decisions of the constituted tribunals were consequently upset, he did not see how, whenever the Crown or the Treasury were concerned, anything could be definitely and conclusively settled.

Captain BERKELEY observed, that if the right hon. Baronet (Sir J. Graham) was wrong in the decision to which he had come, then he himself had been three times wrong upon it—for three times had he looked into it, and the conclusion to which he had come was always the same. He thought the Admiralty had acted rightly: and he must say, as to this point, he should be extremely obliged if the hon. Member for Montrose would state upon what authority he declared that Sir Thomas

Hardy dissented from that decision. [Mr. HUME: Upon that of Captain Dickinson.] He wished to say nothing harsh of Captain Dickinson; but he must say that he had acted with Sir Thomas Hardy when that decision had been come to, and had heard of nothing in contradiction to that decision from Sir Thomas Hardy; and, therefore, he declared that Captain Dickinson must be mistaken.

MR. HUME had the fact under Captain Dickinson's own hand.

LORD G. BENTINCK: I think the hon. and learned Gentleman opposite omitted to notice one point, and that was the letter of Sir John Barrow, the then Secretary to the Admiralty, who promised unconditionally the use of Her Majesty's ship. Really, Sir, I cannot understand upon what principle of good faith this claim is made after the letter of Sir John Barrow, dated the 11th of August, 1831, and which I now hold in my hand. In that letter there is no mention whatever of a charge to be made for the use of the vessel; on the contrary, Sir, it is distinctly stated in this document, that the public cannot be put to any expense in endeavouring to save the treasure from the wreck of the *Thetis*, beyond the ship employed in that service, and the use of her crew, when the service admitted. Why, Sir, I think this is a distinct engagement on the part of the Admiralty of that day that there should be a free use of the King's ship. This would of itself be almost conclusive against the claim; but then, if we are to consult precedent or custom, who ever heard of a claim brought against private individuals by the Government for military or naval services? If this is to be the rule of the service, we shall have the Guards, who may be called out on the occasion of a great fire in this city, sending their bill for "work and labour done" against the individual whose property they may have been instrumental in preserving. It seems just as reasonable that the Government should make a demand for services rendered by our troops in the collection of the tithes in Ireland. The Government ought to have sent in their bill of costs against the owners of the tithe, and then we might have been able to make the deduction in the Army estimates. If this sort of thing goes on, we shall have the Government "billing" Her Majesty's Opera for the services of half a company of the Guards who are on duty there whenever the Opera-house is open. The claim is altogether totally unworthy of the British Government—it is a paltry thing—a mean attempt to mulct the salvor of this treasure, who deserves well of his country for his courage and ingenuity. I cordially concur in the Motion of my noble Friend.

MR. CABBELL thought that, after the clear and distinct statement of the hon. Member for Finsbury, the House would not do its duty unless it granted the Committee moved for, or took care that that able and much neglected officer (Captain Dickinson) had his claim liquidated. He saw no reason why a claim should be set up on the part of the Admiralty for the expenses of the King's ships and crews in the service performed by Captain Dickinson, for whether they had been so employed or not, the Admiralty would still have had to maintain them; and he therefore did not understand why the reward of a gallant officer, who, by the means of his inventive faculties, and the application of ingenious mechanical power, had saved so much treasure from the deep, should be diminished by the deduction of those expenses on the part of the Admiralty. He thought that Captain Dickinson's conduct ought to have earned for him the favour of the Government, and that he ought afterwards to have been employed in some distinguished service; but he supposed that, as Captain Dickinson had succeeded in an undertaking that was thought impossible, he had fallen under the displeasure of those who had given a hasty opinion against the practicability of the enterprise. He was sorry to have heard any allusion to the Statute of Limitations; but he should like to know when the last application on the part of Captain Dickinson was made? He held in his hand the copy of a letter from the right hon. Chancellor of the Exchequer, refusing to see Captain Dickinson when he sought a personal interview. Was that the way in which to treat so able a public servant? Captain Dickinson was desired to make his communication in writing. He did so; and what was the answer he received? It was to the effect that the Chancellor of the Exchequer had looked into the affair, and saw no reason whatever for altering the decision which had been come to. That was not an answer which would be satisfactory to any one. He should not have mentioned this matter if a petty allusion to the Statute of Limitations had not been thrown out; and when such was the case, he felt himself justified in holding up public men to public reprobation for treating a gallant public officer in this way. He trusted that that House, which was the last refuge of the unfortunate, would entertain the appeal now made, and either grant the Committee or the money.

LORD JOHN RUSSELL said, the hon. Gentleman who had just sat down, seemed to think that he had exposed the conduct of the Chancellor of the Exchequer in an unfavourable light, by stating that the right hon. Gentleman desired Captain Dickinson to state his claim and its grounds in writing. Now, he would confess that he saw nothing in that which showed the conduct of the Chancellor of the Exchequer to be in any way different from what it ought to be. He was of opinion that it was the better course for the Chancellor of the Exchequer to require the statement in writing, as he thus had a perfect opportunity of maturely considering all the circumstances before he gave his decision. He thought that the hon. Gentleman (Mr. Hume) had hardly considered this case sufficiently, otherwise he would not have made some of the statements which had fallen from him. The hon. Gentleman seemed to think that this matter had not been properly considered by the Government, because the ships must have been employed somewhere, and therefore no claim ought to have been put forward on the part of the Admiralty to this money. But it did not follow that the Admiralty might not have ordered some of these ships home, or despatched some of them to another station. It seemed to him that this was a point which might very well have entered into the consideration of the Board of Admiralty, and that they might have devoted these ships to this particular purpose, and therefore have kept up a force which need not otherwise have been kept up to the same extent. The whole matter, however, had been determined by the Board of Admiralty at the time; and the parties who decided the question were the right hon. Baronet the Member for Dorchester, Sir Thomas Hardy, Admiral Dundas, Sir John Pechell, the hon. Member for Gloucester, and his right hon. Friend the present Secretary for Ireland. He could see no ground, therefore, to disturb a decision of that kind. But then the right hon. Member for Cardiff placed a judgment in the mouths of the Judicial Committee, which, after all, was mere imagination. It did not appear that the question of the 13,800*l.* ever entered into their consideration; but, on the other hand, it did appear that the parties went first before the Court of Admiralty, and next before the Judicial Committee, where they might have disputed the amount claimed by the Board of Admiralty if they thought it excessive. There was therefore an admission on the part of those who were interested in denying it, that they could not dispute a single item of that sum. If, however, there were any doubt on the subject, and if it were quite clear that this demand of 13,800*l.* was a paltry and huckstering claim on the part of the Admiralty, the money, if it ought to go anywhere, ought to go to the merchants who lost it, and not in any way to Captain Dickinson. There was, in the first place, a sum of 17,000*l.* awarded to him for his share; and the Judicial Committee awarded him 12,000*l.* more, giving the salvors 29,000*l.* in all; and if this sum of 13,000*l.* was not to go to the Admiralty, it would go to the merchants. The hon. Member for Finsbury seemed to think that every Government—the "ins and the outs," as he called them—had a great satisfaction in refusing claims of this kind, and in supporting one another in such refusals. The hon. Member, however, was very much mistaken if he thought that Gentlemen who went into office, or those who were out of office, had any particular pleasure in refusing to grant sums of money to individuals. On the contrary, he dared to say that it would have given the right hon. Baronet formerly at the head of the Board of Admiralty, or his right hon. Friend the Chancellor of the Exchequer, much pleasure if they could have given this sum of 13,800*l.* to a gallant and ingenious officer; and what restrained them from doing so was, not the satisfaction they felt in refusing the demand, but a sense of the strict duty which they owed to the country. He might be permitted to say to the House, that he really thought that responsibility weighed much more heavily with four or five persons, or one or two persons in the situation of the Lords of the Admiralty, or the Chancellor of the Exchequer, and who were bound to look after the public money, than with a popular assembly like the House of Commons. There was no doubt something pleasing and popular in granting to an individual a sum of money from the public purse, in regard to which no one individual in the House felt any strict responsibility; but in regard to which a public department did not feel such a responsibility. Now, he begged of the House to resist the temptation of indulging in these very popular and laudable feelings. It might be that a public department would be very glad to get rid of claims of this nature; but he could assure the House that if every case of this kind was to be brought before it, there would be hundreds of cases upon which they would have to determine, if the House once got into the habit of granting sums of money to individuals out of the public purse. No man was more particular than the hon. Member for Montrose in checking the expenditure of money by the Government; but he must say that no man was more disposed than the hon. Member to grant sums of money to private individuals. He hoped the hon. Member would do what he sometimes asked the Government to do, reconsider the subject, and not give his vote for the Motion for a Select Committee.

VISCOUNT INGESTRE replied. He observed that the Statute of Limitations did not apply to this, as every year since justice had been refused, an attempt had been made, as yet in vain, to obtain it. No decision had been made by any court on the question which was now before the House. He was astonished that the right hon. Member for Dorchester vindicated the Admiralty for making a charge which ought never to have been made by them. He was also surprised, after what had been stated to-night, that the noble Lord at the head of the Government should refuse an inquiry into the subject. He presented a petition in 1844, with reference to it, and was only deterred from bringing it before the attention of the House on that occasion by the assurance of Sir George Cockburn, that the Government of that day would give it their best consideration, and that his introducing the question then would prevent them from acting as free agents. The case was given up as entirely hopeless, when Captain Dickinson undertook the task of raising the treasure; and it should not be forgotten that this money was private property, lost in a King's ship, consequently it was the duty of Government to have incurred a necessary expenditure in endeavouring to recover the treasure.

The House divided:—Ayes 32; Noes 52: Majority 20.

List of the AYES.

Adderley, C. B.
Baine, W.
Bankes, G.
Barnard, E. G
Bentinck, Lord G.
Beresford, Maj.
Borthwick, P.
Cabbell, B. B.
Chaplin, W. J.
Collett, W. R.
Collett, J.
Disraeli, B.
Douglas, J. D. S.
Duncan, G.
Ellis, W.
Floyer, J.
Frewen, C. H.
Gladstone, Capt.
Goring, C.
Hotham, Lord
Hume, J.
Marjoribanks, S.
Mundy, E. M.
Muntz, G. F.
Newdegate, C. N.
Nicholl, right hon. J.
Palmer, G.
Plumridge, Capt.
Spooner, R.
Tollemache, J.
Vyse, H.
Wakley, T.

TELLERS.

Ingestre, Visct.
Pechell, Capt.

List of the NOES.

Arundel and Surrey, Earl of
Baring, rt. hon. F. T.
Bellew, R. M.
Berkeley, hon. Capt.
Blackstone, W. S.
Bouverie, hon. E. P.
Brotherton, J.
Buller, C.
Byng, rt. hon. G. S.
Chichester, Lord J. L.
Clive, Visct.
Colebrooke, Sir T. E.
Cowper, hon. W. F.
Dalmeny, Lord
Dundas, Adm.
Dundas, Sir D.
Ebrington, Visct.
Escott, B.
French, F.
Gibson, right hon. T. M.
Graham, rt. hon. Sir J.
Greene, T.
Grey, rt. hon. Sir G.
Grosvenor, Lord R.
Hatton, Capt. V.
Hawes, B.
Henley, J. W.
Hindley, C.
Labouchere, rt. hon. H.
Langston, J. H.
Maitland, T.
Mangles, R. D.
Monahan, J. H.
Morpeth, Visct.
Mostyn, hon. E. M. L.
Ord, W.
Parker, J.
Plumptre, J. P.
Rich, H.
Russell, Lord J.
Rutherfurd, A.
Scrope, G. P.
Sheil, rt. hon. R. L.
Somerville, Sir W. M.
Stuart, Lord J.
Thornely, T.
Troubridge, Sir E. T.
Turner, E.
Ward, H. G.
Williams, W.
Wood, Col. T.
Wyse, T.

TELLERS.

Tufnell, H.
Maule, rt. hon. F.

SUNDAY TRADING IN LONDON.

MR. HINDLEY rose to move, "That a Select Committee be appointed to inquire into the prevalence of Sunday Trading in the Metropolis." There had been, the hon. Member said, a Committee in 1832, which entered into the general question of the observance of the Lord's day; but he wished to confine this Committee to the practical point of Sunday trading. However much he might wish to see the Lord's day properly observed, he did not think that any efforts on the part of that House would tend to promote its observance. He had no notion of making people religious by Act of Parliament; but the case which he had to present to the House was that of certain traders, to whose complaints he wished to call the attention of Parliament. There were various laws in operation to prevent Sunday trading; but these laws were not so strict as to prevent a portion of the tradespeople from opening their shops and carrying on business the same as on another day. He had heard from respectable tradesmen that they had kept their shops closed for many years on Sundays, but that they had been at last compelled to open them in self-defence. He thought this was a very hard case. He did not wish at all to interfere with anything which the House might think ought to be sold on Sundays; but he wished to protect the traders in general from undue competition among themselves. They ought either to make the law effectual so as to put all on an equal footing, or else to say at once that they would not interfere on the subject. It might be objected that he was not the person to bring a question of this kind forward; but the fact was, that the matter was formerly in abler hands than his; for a Bill was brought forward last year by the hon. Member for Lambeth and the hon. Member for Hertford (Mr. Cowper), and his (Mr. Hindley's) name was only added to the back of the Bill as a third; but the two former hon. Gentlemen having both become connected with the Government, did not feel themselves at liberty to proceed with the matter; and, therefore, he had reluctantly consented to bring it forward. In asking for this Committee, it was his particular wish that those Members should be appointed who might feel a prejudice against interfering, as he wished a fair and impartial inquiry. He should not further detain the attention of the House, except to move for the appointment of this Committte.

MR. HUME wished to know whether the hon. Member proposed to prevent men who could not get shaved on a Saturday from being shaved on Sunday? How did he propose to deal with such cases? The House was to do all sorts of things now, it seemed. Hon. Members proposed to make our men chaste and our women virtuous by law; but he must say, speaking from his experience in his younger days in Scotland, as one who was accustomed to see the Sabbath-day properly observed, and delighted to see it decently kept, that he could not believe that any good would result from any alteration of the existing law upon this subject, with respect to which, indeed, the law was rather stringent already. As far as he had observed the persons who urged measures of this kind, pretending to be very sanctimonious, he had not found them better than other people, or even than himself—an old sinner, who did not profess to be holier than his neighbours. The Government ought not to lend themselves to such a proposal as this, which could only end in disappointment. Men who were paid late on Saturday night must buy what they needed on Sunday morning; it was done in an orderly way, and we ought to "let well alone."

MR. B. ESCOTT thought the Motion very objectionable. The parks were crowded with carriages every Sunday, and thronged with people who went there for amusement, and not to make an honest livelihood; but the hon. Member passed by them to interfere with the petty tradesman. If the hon. Gentleman was not satisfied with the present observance of the day, he had better direct his attention to those who got up horse-races here, or who just crossed the Channel to occupy themselves in steeple chases on a Sunday; at least, if he could get the co-operation of the French Government. All the clubs in London were frequented on a Sunday, even during the hours of Divine service, and by persons of station whose example must be influential; but the hon. Member did not and could not touch them, nor could he stop all occupations, and it would be great injustice to pass a law which would in effect single out one class for restraint.

SIR G. GREY thought it was not desirable to go into a general inquiry. There were certain laws now applicable to Sunday trading; and the object of the Motion was merely to ascertain the bearing of those laws upon Sunday trading as carried on in parts of the metropolis. There might be some hesitation in granting a Committee after the inquiry of 1832, which seemed to include the question now proposed for investigation. But representations had been made from various quarters as to the extent to which the law was violated. Whether the practices complained of had grown up from defects in the law itself, or from defects in its administration, he was not very sanguine that beneficial results could be attained by fresh legislation on the subject. Yet he was not prepared to refuse his assent to the Motion for a Committee, if valuable information could be obtained which might justify the representations made as to the existing system, and the expediency of putting matters on a different footing.

COLONEL T. WOOD thought no case had been made out to justify the appointment of a Committee. There had been no petitions on the subject, nor had the Members of the metropolis taken up the subject. His own opinion was, that these matters were much better regulated by the general tone of manners in a country than by Acts of Parliament; and certainly Sunday was much better observed in the metropolis now than it was twenty years ago, both amongst the higher and lower classes. He had occasion to be at the east end of the town the other day, when he walked all over the Tower Hamlets; and, with the exception of an occasional cigar or orange shop being open, he must say that the Sunday was observed in a very proper manner. He was therefore opposed to the appointment of a Committee.

Mr. HAWES said, he had, a short time ago, attended a meeting of between 200 and 300 persons representing every parish in the metropolis, and their representations were certainly of great weight. It was not proposed by this measure to deal with the general question of Sunday observance; nor would it extend the operation of the existing law; still less was it intended to create a case of oppression —if it were, he certainly would have nothing to do with it. But it was proposed to inquire whether or not the existing law was sufficiently effective; and whether there were not certain districts in the metropolis where on the Sunday mornings there were extensive open markets held in the public streets. As far as he knew his own borough, there were many parties who would willingly close their shops if other people would do the same. But in the present state of the law there were many parties who kept open their shops on Sundays, and thus others were compelled, in self-defence, to do the same; so that, for a certain number of hours on the Sunday mornings, the whole of the shopkeepers were kept in a state of bustling activity. That was the object of the measure; and, far from being an injury, it was intended as a benefit to the trading class of this metropolis; because at present even those who desired a day of recreation or of leisure were compelled to forego it, and to open their shops, because of other parties, who cared neither for recreation nor for religion. He hoped, therefore, the House would grant the Committee.

Dr. BOWRING objected to interfering with the subject at all, because every body who looked at the state of the country must have seen that there was a gradual and growing improvement on this subject, and a better appreciation of the value of the Sabbath-day.

Mr. WILLIAMS thought it would be better to leave the tradesmen of London to manage their own affairs, for he was sure they understood them better than the Members of that House. He was anxious to promote the better observance of the Sabbath; but then it must be by a legislation that would reach all classes, not by measures that would go over the heads of the rich, and strike only at the poor.

Mr. COWPER thought the speeches which were made against the Motion, only went to show the propriety of granting the Committee, for it seemed that there were differences of opinion as to the facts of the case. The hon. Member for Middlesex said, the shops in London were shut on Sundays; whereas he was informed that in the Old Kent-road, and in the Lambeth-cut, and in various other thoroughfares, shops were open every Sunday morning. Now, a Committee would be the best means of ascertaining these facts. Then, the hon. Member for Montrose, on the contrary, asserted that the laws as they stood were sufficiently efficient; while the parochial authorities of Lambeth and Southwark asserted quite the contrary. He thought it was a grievance that poor traders should not have a day of leisure, as well as the rich. The shops in Regent-street and Oxford-street were closed on Sundays, and the rich occupiers could spend the day as they pleased; while the poor and small traders, who lived in other streets, were compelled either to open their shops on Sunday, or to lose a considerable portion of their annual profits. The law had settled that the shops should be closed on Sundays, and so long as that law remained upon the Statute-book it ought to be enforced.

Mr. WAKLEY felt surprised at the tone assumed on the present occasion. The hon. Member for Ashton had proposed his Motion somewhat in the spirit of the Pharisee. He seemed to say, "Thank God, we of Ashton are not as other men are, we are not like the people of the metropolis." An inquiry into Sabbath trading in the metropolis! That was what the hon. Gentleman proposed; as if there was no Sunday trading in Ashton! And the right hon. Gentleman the Secretary for the Home Department seemed very much of the same opinion with the hon. Gentleman. Was there no Sunday trading in

Devonport? Yet the right hon. Gentleman wanted inquiry about the metropolis, and not about Devonport. This was one of those delicate subjects which ought not to be dealt with in detached portions. The right hon. Gentleman knew the state of the metropolis; but the difficulty was to be staved off by proposing a Committee of Inquiry. Was it lessened by accumulating information? Why, the difficulty was increased. In many towns Sunday trading was carried on to a discreditable extent, and Sunday was a day of the greatest importance to the working classes. It was a day of rest; and he wished they had two such days instead of one. He admitted that it was a great evil that men should be obliged to trade on Sunday in self-defence, because an unscrupulous fellow, who happened to be located next door to them, did so; but he did not see how the evil was to be remedied. He certainly saw no use of appointing a Committee. If anything was to be done in the matter, why could not the right hon. Gentleman (Sir G. Grey) apply his mind to it? Could not the police authorities supply him with more information in a few days, than could be furnished by a Select Committee sitting a month? Well, when the information they affected to want was thus in their possession, or, if it was not, when there was such easy means of obtaining it, what was the use of appointing a Committee of that House to call before them persons from all parts of the metropolis to give them information? He wished Sunday trading could be put an end to; but he believed the difficulties in the way were insurmountable. He confessed he saw no way of effecting it, except by educating the people and teaching them self-respect. He did not believe that the most stringent laws would do any good. He concluded by expressing a hope that the hon. Member for Ashton would not divide the House on his Motion, but would leave the Government to take up the question; though he feared that direct legislation would be altogether unavailing.

Mr. MUNTZ remarked, that there was another way of putting an end to the evil in question, and that was, to enable the people to make as good a living without Sunday trading as with it; though he confessed he did not know how that could be done. For himself, he did not object to legislating on this subject, provided the legislation was made general; but he protested against keeping up the feeling which prevailed too strongly already, that legislation was directed against the poor, and not against the rich. The hon. Member for Lambeth had said, that the case of the small traders and that of the members of clubs were not analogous, inasmuch as the members were not obliged to attend the clubs on Sunday, while many of the traders were to keep open their shops. But how was it with respect to the servants of the clubs? Were they not compelled to work on Sunday? Was it not the fact that they had no holiday—no chance of rest or recreation? In order to show the necessity of Government taking up the subject, he begged to refer to the case of the Post Office clerks in country towns, who had no holiday on Sunday, but were obliged to work all day, which he considered to be a case of great hardship.

Captain PECHELL opposed the Motion. The Committe was unnecessary, for there was no want of any further legislation on the Sabbath.

Mr. CHAPLIN observed, that there was a general understanding in that House that an alteration should take place in the Smithfield market day; and as he was quite agreed with those who thought it was of no use dealing with the question of Sunday trading by piecemeal, he would suggest that the consideration of the Motion now before the House should be postponed for a few weeks, till the measure relating to Smithfield should be discussed more fully; because there was much said about Sunday trading and Sunday travelling; but if they did not remove the cause, what was the use of touching the effect? The public conveyances were obliged to be kept in motion on Sunday, so long as the cattle market, corn market, fish market, and other markets, were held, as at present, on the following day. He hoped, then, that the hon. Member for Ashton would consent to keep the Motion in abeyance for a week, till the other measure to which he had referred was considered.

Alderman COPELAND suggested to those hon. Members who thought the Sunday well kept in London at present, to visit the Broadway, Westminster, any Sunday morning, and judge for themselves, whether the scene there presented, of shoemakers' shops, stationers' shops, toy shops, and numerous other places of business—all open and busy as on ordinary days—was not a disgrace to a Christian land. For himself, he hoped the time would soon arrive, when, if the present law should be found unable to put down such scenes, some other steps would be taken for that purpose.

COLONEL SIBTHORP doubted whether, in legislating on this subject, they would not be attempting to do that which was wholly impracticable, and thereby creating a greater evil than that which it was their object to cure.

MR. HINDLEY, in reply, said, he had been taunted by one side of the House for attempting to do too much, and by the other for attempting to do too little. His object was, to get the House to take the subject fairly into consideration, with the view of doing justice to all parties. He had no wish to do injury to any. If he should prove, as he hoped to be able to do, that there were great abuses practised in reference to Sunday trading; that gross injustice was thereby done to respectable tradesmen; that a remedy was desired by those tradesmen themselves, as well as by the parochial authorities; and if he could show that this remedy could be applied without injury to any other class—then the Committee he now asked for would be of some value. If, on the contrary, he should not succeed in making out such a case, there would only be a few days spent in the inquiry, and they would, at all events, be able to satisfy the parties who now asked their interference, that there was no means of affording them redress.

MR. J. COLLETT said, that the more he had heard on this subject, the more he was convinced that the object of those who proposed such legislation was to interfere with the privileges of the poor, not to meddle with those of the rich. If they were to put down Sunday trading, they ought also to shut the club-houses, and prevent carriages and horses from entering the parks on Sunday.

The House divided:—Ayes 51; Noes 19: Majority 32.

List of the AYES.

Aldam, W.
Arundel and Surrey, Earl of
Baring, rt. hon. F. T.
Barnard, E. G.
Bellew, R. M.
Bodkin, J. J.
Boldero, H. G.
Broadley, H.
Brotherton, J.
Buller, C.
Clerk, rt. hon. Sir G.
Colebrooke, Sir T. E.
Copeland, Ald.
Dalmeny, Lord
Douglas, Sir H.
Ebrington, Visct.
Gore, hon. R.
Greene, T.
Grey, rt. hon. Sir G.
Hawes, B.
Hobhouse, rt. hon. Sir J.
Labouchere, rt. hon. H.
Langston, J. H.
Lowther, hon. Col.
Macaulay, rt. hon. T. B.
M'Donnell, J. M.
Maitland, T.
Mangles, R. D.
Maule, rt. hon. F.
Monahan, J. H.
Morpeth, Visct.
Morris, D.
Mostyn, hon. E. M. L.
Nicholl, rt. hon. J.
Ord, W.
Parker, J.
Plumptre, J. P.
Rawdon, Col.
Reid, Col.
Rich, H.
Russell, Lord J.
Seymour, Lord
Sheil, rt. hon. R. L.
Sibthorp, Col.
Somerville, Sir W. M.
Spooner, R.
Talbot, C. R. M.
Tufnell, H.
Turner, E.
Ward, H. G.
Wyse, T.

TELLERS.
Cowper, hon. W. F.
Hindley, C.

List of the NOES.

Berkeley, hon. C.
Bowring, Dr.
Chaplin, W. J.
Collett, W. R.
Collett, J.
Disraeli, B.
Escott, B.
Ewart, W.
Forster, M.
M'Carthy, A.
Mitchell, T. A.
Muntz, G. F.
O'Connell, M. J.
Ogle, S. C. H.
Pechell, Capt.
Thornely, T.
Wakley, T.
Watson, W. H.
Wood, Col. T.

TELLERS.
Hume, J.
Williams, W.

STATE OF NAVAL ARCHITECTURE.

MR. HUME then rose to move for—

"A Copy of the Instructions from the Board of Admiralty to the Committee of Naval Construction, appointed to inquire into the state of Naval Architecture; and Copies of the several Reports which that Committee have made to the Board of Admiralty on the state of the Ships of Her Majesty's Fleet; Also Copies of all Orders issued by the Committee of Construction, or by the Board of Admiralty, in consequence of the Reports of that Committee, respecting the alteration of those ships laid down, or in progress of building, or built, according to the lines or plans of Sir W. Symons, the Surveyor of Her Majesty's Navy, or any other constructor."

He said he had come down to the House prepared to expose the three late Boards of Admiralty; but, as he found that his hon. Friend the present Secretary to the Admiralty was not prepared to enter into the whole of the question which he wished to submit to the House, he would postpone it to another day. That the question was a most important one would at once appear when he stated that it was his intention to prove that a very large portion of the 20,000,000*l*., which had been voted during the time that the present Surveyor of the Navy had been in office, had literally been wasted. He did not blame the Surveyor for this; he blamed the system which produced such results. With respect to his present Motion, he understood that a part of the returns he wanted would not be refused. He would therefore content himself at present with that portion to which there was no objection, and leave the discussion of the whole question till that day fortnight, when he would charge the Admiralty broadly with mismanagement of the public funds, and ask for a Committee of Inquiry, in order to have the facts fairly and properly before them.

Mr. WARD, said that nothing could be fairer than the course which his hon. Friend had taken on this occasion; but certainly he was not till now aware of the very large scope which his hon. Friend's Motion embraced. There was a portion of the papers which he could readily agree to produce, namely, a copy of the instructions from the Board of Admiralty to the Committee of Naval Construction appointed to inquire into the state of naval architecture; but he could prove to his hon. Friend, from the very words of his own Motion, that the other portion of papers called for by him could not with any propriety be given. The reports which the Committee from time to time made to the Board of Admiralty were confidential reports, the Committee being considered the confidential advisers of the board. It was admitted that it was expedient to adopt greater precaution than had hitherto been observed, before any plan was finally submitted to the Board of Admiralty for the construction of new ships; and, with that view, the Committee of Reference, or Construction (it had been named both ways), was instituted; to which Committee all plans were to be submitted, corresponding with those submitted by the board to the Surveyor of the Navy, in order to arrive at something like a better and clearer authorization of such plans; and a more satisfactory evidence that they were founded upon sound principles of naval architecture. It might to some extent prove the case of his hon. Friend, which he was anxious to lay before the House, to furnish him with the instructions to the Committee of Naval Construction; and he would, therefore, lay a copy of the instructions before the House to-morrow. When he suggested to his hon. Friend to delay his Motion for the remainder of the papers, it was because he believed his hon. Friend would really require more before he could so arrange the matter as to make it answer the object he was desirous to obtain. He could truly say that not for the smallest part of those delinquencies to which his hon. Friend had alluded, whether they were large or small, were the present Board of Admiralty in any way responsible. He would at once tell his hon. Friend what had been done by the present Board of Admiralty in consequence of the reports of the Committee of Construction. Those reports had reference to ships that were constructed upon the model of the *Albion* class, about which so much criticism had been expended, and opinion was so much divided. It was not thought safe to proceed to the full extent of the plans originally laid down without a fuller investigation of the capabilities of that class of vessels; and the board, finding upon inquiry, that there had been expended on two vessels of the *Albion* class, the *Aboukir* and the *Exmouth*, the sum of 40,000*l.*, they considered it expedient that those two ships should be proceeded with. With respect to the *Princess Royal*, that vessel was to be altered according to a plan which had been sanctioned by the board, after after having received the reports of the Committee of Construction and the Surveyor. With regard to three other vessels, the Board of Admiralty had suspended all proceedings until they should receive a report from the Committe of Construction and from the Surveyor. Each of these ships was to be constructed upon plans devised by three different builders. He hoped that when his hon. Friend should bring forward his Motion, there would be a fuller attendance of hon. Members who had at any time or who now belonged to the Board of Admiralty; and that, by the discussion which might take place, the House itself would be able to arrive at something like a satisfactory opinion upon the whole question.

Mr. WILLIAMS considered that upon a matter of so much public importance, the reports of the Committee of Construction ought not to be considered confidential. It was well known to the country at large that a vast waste of money took place by mismanagement; and the House ought not therefore to have withheld from it such information as would throw a light upon the subject. He hoped the Secretary for the Admiralty would reconsider the policy on the part of the Board in refusing to produce these reports.

Mr. WARD said, that the only part of the Motion which he at present was authorized to assent to was the giving a copy of the instructions to the Committee appointed to inquire into the state of naval architecture. He believed he should be able to give satisfactory reasons why the confidential reports, which entered minutely into the defects of the qualities of the ships, and various other particulars necessary to be made known to the board, should not be laid before the public and the world.

But he wished to reserve the whole question for a subsequent discussion.

Mr. WAKLEY observed that his hon. Friend had asked for several papers, and only a portion of them was granted, and that the papers which would give practical information were withheld.

Mr. HUME explained to his hon. Friend that the first portion of his Motion the Secretary of the Admiralty had no objection to assent to, but that he was not prepared on the present occasion to produce the rest. He (Mr. Hume) was not pressing for the other papers, but had only been telling his hon. Friend (Mr. Ward) the grounds on which he should proceed when he again called for those papers. And he now felt that he should be acting unfairly towards his hon. Friend if he did not inform him that he (Mr. Hume) should not consider it any answer to be told that the papers were regarded as confidential; for he could not consider any papers confidential that involved the expenditure of a great many millions of the public money. His object in obtaining these papers was not only to show what the evils were that had been done in the past, but the way in which some board might be established calculated to prevent similar evils in the future.

Original Motion withdrawn, and the following agreed to:—

"Copy ordered of the Instructions from the Board of Admiralty to the Board of Naval Construction, appointed to inquire into the state of Naval Architecture."

THE ARMY SERVICE BILL.

Mr. F. MAULE moved that this Bill be now read a Third Time.

Sir H. DOUGLAS said, that in persisting in his opposition to this Bill, he was sure that neither the noble Lord at the head of Her Majesty's Government, nor any Minister thereof, would accuse him of any—he would not say factious, for he disdained to use that term, but of any—disposition to thwart Her Majesty's Government. He had supported them in the principal measures of the Session. He knew the difficulties they had to encounter; and he would appeal to the noble Lord whether, in personal intercourse with him, he had not evinced a disposition rather to smooth than to create difficulties. Having already twice addressed the House at great length on the subject, he should now confine himself to declare generally, that, so far from his opposition to the measure having abated by the discussions which had taken place, it had gained additional strength. Since he last addressed the House, he had received numerous communications from professional men, all of whom concurred in deprecating the limitation of the period of enlistment to 10 years, unless accompanied by some more substantial inducement to men who had served for that period, to re-enlist. He continued to feel that the difficulties which must result to the colonial service would be incalculable, if some fixed period beyond the 10 years were not provided for that especial portion of the service of the British Army. The power given to the commanding officer to prolong the period of service, when the regiment was abroad, was fraught with danger, and was a strong admission of the difficulty of adapting the principle of limited service to the exigencies and contingencies of our colonial and foreign service. A regiment might be in Upper India, or in Australia, when some such sudden emergencies as those which recently happened in both these quarters, might again occur: the power given by the 3rd Clause, to prolong the service, would then be exercised to its limit; but should the emergency continue, and the prolonged time expire, what then? It appeared to him that there was no safety but in so managing, that no regiment should be sent on colonial duty, unless the service of all men belonging to that corps be of such duration, as to embrace the period of its foreign service. It seemed to him, too, that fresh engagement by enlistment should always be made, before the first period expires, to preclude effectually all possibillity of misunderstanding, or confusion, or uncertainty. He would adduce a few practical observations to show the inapplicability of limited service, with safety, to the Army of this country. A regiment comes home from India, after a service of many years, a skeleton, rarely more than 200 men. It is, in the year of its return, recruited, say to 800. It remains in England five years, and is then again sent on the ordinary tour of foreign service. Wherever it may be in the eleventh year, the time of service of about three-fourths of the men expires. What will you then do? Send out 600 recruits, or bring the regiment home? If the former, is the regiment fit for service. If the latter, what confusion in the reliefs! Again, the 90th Regiment, after serving 10 years in Ceylon, was embarked for England in 1844, and touched at the Cape on its voyage. Under the emergency which existed there, the officer commanding the forces laid his hand upon it, and sent it up the country; and, he believed, that regiment still served there. The 45th and 73rd Regiments, on their voyage to another destination, put into the Rio de la Plata—they were detained. In his own time, two out of the six regiments he had in the Ionian Islands, were sent off suddenly to Canada, on account of emergency there. These regiments were first on the list to return home; they remained in Canada three or four years. How would service limited to 10 years, provide for such emergencies as these? It was a very perilous thing to run the least risk—to admit even of the possibility of any misunderstanding with soldiers, as to duration or prolongation of service, or even to permit the first period to expire, without a distinct understanding, or a fresh contract. He would remind the House of what occurred many years ago, as a warning of the inconvenience and danger resulting from limited enlistment in such a service as ours. In the year 1783 several regiments were embarked for foreign service; but, in the same year, peace was declared, and the destination of the troops changed. An eminent officer, the late Sir Thomas Dalrymple, then lieutenant-colonel of the 68th regiment, was embarked at Portsmouth, destined for foreign service (the Spanish Main). He received a communication from General Conway that the destination was altered, to what quarter he (Sir H. Douglas) did not recollect, and immediately proceeded to London, to report that the greater part of the regiment under his command were young soldiers, and had been enlisted subsequent to the general regulation of December 1775, by which soldiers were enlisted for seven years, or during the war, and that peace being concluded, they demanded their discharge; but that if a small bounty were offered, he had no doubt that he could prevail upon them all to reenlist. General Conway desired him to feel their pulse; his reply was, that he was not accustomed to act in that manner with soldiers, but that he would do as he was ordered. On his return to Portsmouth, he went on board the different transports, and addressed the men in each, who all agreed to accompany him and their officers: but he had hardly returned to the head-quarter ship, when boats were seen coming off from the other transports, and in each was a soldier with a sheet of paper, on which was written the clause of the general order or regulation which entitled them to their discharge. On his again landing at Portsmouth, he found the 77th regiment (the Athol Highlanders), of which he had for some years been major, and had commanded for a time, in open mutiny in the streets of Portsmouth. The regiment had that morning refused to embark, and upon Lieutenant-Colonel Crosby's remonstrating against such unsoldierlike conduct, they knocked him down, loaded their pieces, and levelling them at their officers, obliged them to retreat. They then marched to the town gates, took possession of them, and obliged the guard to retreat, firing upon a party of the 41st regiment who were assembled to oppose them, killed one man, and wounded several. They then proceeded to the magazine or store-house of the regiment, which they broke open, and furnished themselves with ball cartridge. A mutiny also broke out from the same cause in Jersey, in the 83rd regiment, and in the 104th, which was happily repressed by the vigorous and well-timed exertion of the Royal Irish. The country was in consternation—Sir William Howe was sent to Portsmouth—General Conway to Jersey. The 68th were landed and sent to Winchester; the 77th Athol Highlanders marched from Portsmouth by orders of Lord George Lennox, and disbanded. In the 1st, or Royal Scots, there was some unsteadiness. All this is recorded in the journals of the day (*Morning Herald*, January 29th, 1783; the *London Chronicle*, January 28th to January 30th, 1783; ditto February 13th to February 15th, 1783; the *Morning Herald* and *Daily Advertiser*, Thursday, March 27th, 1783). The practical deduction he made from these facts was, that it is extremely unwise and dangerous to send regiments, on colonial service, composed of men enlisted for a limited period, unless some provision be made, sufficient to induce soldiers to re-enlist, should prolonged services be required; and he knew of no provision that could be so effectual as that of giving a good bounty. A very moderate bounty would suffice. That course, though recommended by Sir H. Dalrymple, was not followed at that time, and the consequence was, it became necessary to land the 68th and disband the 77th Highland regiment, and others that were also under orders to embark: and he (Sir

H. Douglas) might add, that the British Army had never been in such a state of excitement and insubordination, as that brought on by that limited service expedient. He could assure the House that the ten-year enlistment, and the *quasi* militia duty of twenty-two years afterwards, with the remote prospect of a pension at 50 years of age, is becoming more and more unpopular in the country and in the service—that it is deemed a disadvantageous change, a pitiful, discreditable provision. That it is perfectly absurd to expect that this measure, of itself, will either attract a better description of men to enter the service, or induce good soldiers to continue in it. He would read to the House an extract from an important and influential journal, an organ which expresses and influences public opinion by its ability:*—

> "But we warn the Government that it will be impossible to procure recruits for that time, or to re-enlist them after that time, on the proposed rate of pension. A man who is worth anything, and who therefore has a sentiment of self-respect, will not give himself and his best energies to the State for ten or twelve years on the bare possibility of getting 6*d.* a day for thirty years hence. The thing is impossible. To suppose it would argue an utter ignorance of human nature. With a hope so bald, and a prospect so blank as this, the Army will be recruited from the riff-raff of society, not from the respectable and well-conducted men, whose presence is so much desired. If you wish to have good men in the ranks, you must hold out good inducements. Treat them well and fairly there; reward them well afterwards. It will be the wisest economy in the end. If you cannot give a pension at the end of ten or twelve years, give one at the end of fifteen years' service. Let it, however moderate, commence directly on the men's discharge; and let it be increased as they grow older. And, more than this, reward by such civil situations as you have at your disposal, the most deserving of the retired soldiers. You will thus, at the same time, confer an honour on the Army, and an obligation on the State. And, in truth, no State owes more to its Army than that which has intrusted to the guardianship of a force not much larger than that of modern Belgium, possessions vaster and more diffused than owned the sovereignty of Imperial Rome. One word more. The termination of a soldier's service ought, for the sake of uniformity, to be fixed for the last day of the year in which his service expires. Nor will the proposed reformation be complete until some plan is enforced—either by legislative enactment or rule at the Horse Guards—for limiting the colonial duty of regiments to ten or twelve years."

There must be some superior inducement held out to the soldier, than an enlistment for 10 years, and the pitiful, miserable provision of 6*d.* a day to a man of 50, after 30 years' service as soldier and militiaman. A good pension ought to be given, sufficient to attract and retain good men in the Army: and, if that were done, he for one, would care little what became of the limitation clauses. He wished then to know, whether it is the intention of Her Majesty's Government, to accompany this limited service scheme with a revision of the pension list, with a view to restore it to what it was, or to make a still better provision for the soldier in his old age. If the Government would give any assurance to that effect, then he, and those with whom he acted on this occasion, would be willing to hope that such a provision would neutralize the prejudicial effect which the limitation clauses, by themselves, must have: and in that case he would make no difficulty about those clauses: but if no such assurances were given, he would do all in his power to prevent those clauses passing into law. The hon. and gallant Member concluded by moving that the Bill be read a third time that day six months.

CAPTAIN BOLDERO seconded the Amendment, on the ground that the House had been called on to pass this measure in the absence of any military information on the subject. They ought to have had the opinions of the Commander-in-Chief, of the heads of the public departments at the Horse Guards, and of military men connected with Her Majesty's Government. The Secretary at War could, if he had liked, have passed the Mutiny Bill with a clause for limiting the service in it; but he had shrunk from that responsibility, which he sought to throw on Parliament by means of this Bill. The subject of the abolition of corporal punishment in the Army had been very differently treated. It was first brought forward, he believed, by Sir F. Burdett. Then Sir S. Romilly, in 1815, moved that a clause be inserted in the Mutiny Bill, limiting the number of lashes to 190; but that Motion was obliged to be withdrawn in consequence of the absence of military information. The question then slept till 1830. Then came the Military Commission. Secondary punishments were tried, and solitary imprisonment adopted by the authorities at the Horse Guards. A total reformation had taken place; and those who, like himself, had advocated the abolition of corporal punishment, had the gratification of finding it restricted to 100 lashes in 1846, and it had become almost the exception instead of the rule. But what induced the House to consent to this change was, the opinion of the military officers who were summoned to state their views before the Military Commission appointed to inquire into the practicability of abolishing corporal punishments. Before pressing this question forward, they ought to have the benefit of the opinions of military men. The House of Commons was not the arena on which to judge of the effect this Bill would have on the order and discipline of the Army. A drummer, of fourteen years of age, was just as competent to give an opinion on a decision of the Lord Chancellor, as the House of Commons on matters relating to the discipline of the Army. After all, this Bill was but an experiment; and upon what was it to be tried? Upon the British Army—an Army spread throughout the globe. The Government were bound to give a good military authority, before they called upon the House to sanction a measure which might endanger the existence of the Army, composed now of a body of men a better than which could not be found, though the earth were searched through. If the Government were determined to press the Bill, at least let it be improved. A large bounty was offered to the soldier; that bounty was deceptive. What was a real bounty? A pension after a certain number of years' service. The bounty went now to furnish the man's kit: it would be far better to give him his kit. The Army, it was said, was recruited from the dregs of society, and by fraud. But was there no deception on the part of the recruits? He knew of many cases of deception—of men with bodily defects who took the enlistment money; and he knew one case of a man who, without bodily defect, had enlisted eight times in seven months, receiving portions of the enlistment money, and then deserting. Who bore the expenses of these frauds? The recruiting parties themselves. If this Bill was to pass, the periods, he thought, were too short. There should be one of twelve, and a second of ten, years; and at the end of twenty-two years the soldiers should have a pension of 10*d.* or not exceeding 1*s.* per day, according to character. Another point was, that the comforts of the soldier should be more consulted, as to clothing and appointments, especially in Africa and other hot climates. Then what was proposed to be done with the East India Company's troops? The Company must be bound by the same engagements, and at the expiration of the periods must send the soldiers home. In the absence of all military information, the right hon. Gentleman ought not to press this Bill—a measure affecting so deeply the interests of the Army, and which might work for evil. If the Bill was pressed, he should divide with the hon. and gallant Member.

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* *Times*, April 12, 1847.

COLONEL REID said, he wished to ask the right hon. Gentleman the Secretary at War whether he had considered the point to which he had directed his attention on a former occasion? He meant the very disadvantageous position in which soldiers at present in the Army would be placed, as compared with soldiers who might hereafter enter the service, if that Bill were passed. They would then have two classes of men in the Army—the limited-service men and the unlimited-service men. By that Bill the limited-service man could command his discharge gratuitously at the end of ten years, while the unlimited-service man could not, at any time, command his discharge; and even if he should obtain the consent of his commanding officer for his discharge, he would have to pay for the purpose 15*l.* in the cavalry and 10*l.* in the infantry. But the Government dared not extend to the soldiers at present in the Army the same boon which they proposed to confer on soldiers who might hereafter enlist. It appeared to him that there was only one way in which they could give the soldier now in the Army an equivalent for the comparative disadvantage to which he would be subjected, and that was by increasing the rate of his pension. He earnestly hoped that that subject would undergo further consideration on the part of the proper authorities.

LORD HOTHAM had hoped that, considering the extensive alteration which the Secretary at War proposed to make in this Bill by withdrawing its 4th, 5th, 6th, 7th, and 8th Clauses, the right hon. Gentleman would have made some further statement calculated, if not to remove, at any rate to mitigate the objections to it; and having been unable to be present at the last debate on the subject, and having, although present, been prevented by indisposition from taking part in the previous discussion, he (Lord Hotham) was very anxious to be allowed to state the grounds upon which his vote would be given, should the Amendment of his hon. Friend the Member for Liverpool be pressed to a division. The principal object aimed at by this Bill, was said to be the getting a better class of men to enlist. He had never been able to discover the precise meaning of the expression, a better class of men; but if it was supposed that by merely shortening the period of enlistment, persons in easy circumstances would be induced to enter the Army, he felt a strong conviction that Her Majesty's Government would be disappointed, inasmuch as the restraint necessarily imposed by military discipline upon every soldier, and especially and to a greater degree upon every recruit, would of itself be sufficient to deter those who had other means of employing themselves from being attracted by the slender inducement held out by the right hon. Gentleman's Bill. If the substitution of limited for unlimited service were as great a boon as the right hon. Gentleman appeared to suppose, it would have been well worth his while to consider whether, by dealing liberally with the question of pensions, he might not have been able to induce men to enlist for the Army generally, instead of enlisting, as they now had a right to do, for particular regiments. An arrangement of this nature would have many and great advantages. It would greatly diminish the charge for recruiting. It would save all that, he feared, very large expense which the transport of the necessary relief under the new system would occasion; while, on the other hand, it would enable the authorities so to dispose of the recruits as to cause every one to have his fair share of duty, and thus to add very much to the efficiency of every regiment. In speaking of the expense which this new system would create, his hon. Friend the Member for Liverpool had quoted a despatch written by the Duke of Wellington to Lord Liverpool in 1812, on the subject of the very large sum which would be required for the re-enlistment of men whose seven years term of service was about to expire. Hon. Gentlemen opposite had questioned the accuracy of this statement, contending that the bounty could not have exceeded *4l.* or *5l.* per man, and that thus the sum named by the Duke of Wellington would have provided bounty for a greater number of men than the whole army then in the Peninsula consisted of. Now, if he (Lord Hotham) had not been prevented, as he had already stated, from addressing the House when his hon. Friend was thus contradicted, he could have offered his own personal testimony as to the probable accuracy of his argument. He (Lord Hotham) was serving with the army in the Peninsula at that period, and he well remembered that a large number of men of his own regiment were re-enlisted, and that he was employed by his commanding officer to assist in their attestation and in paying them their bounty, not of four or five pounds, but of sixteen guineas per man. His hon. Friend the Member for Liverpool had also called the attention of the House to the case of a regiment returning from India. Such a regiment might, on its return to England, receive six or eight hundred recruits; and, after remaining, perhaps, five years at home, would be ordered for three years to the Mediterranean, and from thence for three years to the West Indies, where, before little more than half its tour of duty was completed, the greater part of the men composing the regiment would be entitled to their discharges; and he would confidently ask the right hon. Gentleman whether this was a state of things which he would find it easy to deal with? Looking, then, to the inducement which men, after serving their period of ten years, would have to re-enlist, he (Lord Hotham) observed with regret that the right hon. Gentleman would give no intimation of the real intentions of the Government with respect to pensions. Many inquiries had been made on the subject by hon. Gentlemen around him; but the right hon. Gentleman always referred to the royal prerogative as his reason for declining to answer them. Now, he (Lord Hotham) hoped he need not say that no one was less disposed to interfere with, or indeed more desirous to maintain, the royal prerogative than he was; but he could not help feeling that when her Majesty's Ministers brought forward a measure, the success of which mainly, if not entirely, depended on the exercise of the royal prerogative, the House had a right to know how it was intended to use it. Again, there was a very serious question, to which the hon. Member for Windsor had referred, namely, what was to be done with all those men of whom the Army now consisted, and who were all enlisted for life; but here also the right hon. Gentleman put forward the royal prerogative. The importance of this question must be obvious to every one; but the consequences of its being improperly dealt with were so serious, that he (Lord Hotham) would not venture to allude more particularly to them. Hon. Gentlemen on the other side might know, privately, the right hon. Gentleman's intentions; but those sitting on his (Lord Hotham's) side of the House having no such advantage, the right hon. Gentleman could not complain of their unwillingness, in the absence of all necessary information, to go along with him in support of his Bill. These were some of the objections which pressed strongly on his mind. He (Lord Hotham) did not presume, because he had the honour to hold a commission in the Army, that he must necessarily be wiser than any one else. The subject, however, being that of the profession in which he had been brought up, it was one upon which he could not but have an opinion, and upon which, having an opinion, he felt bound to give it. He (Lord Hotham) did not distrust the intentions of the Secretary at War; but, believing that he as greatly overrated the advantages as he underrated the difficulties which the Bill would occasion, and after giving the subject the best consideration in his power, he arrived at the conclusion that the only vote which he could, with a safe conscience, give, would be in favour of the Amendment.

Mr. FOX MAULE observed, that so far from finding fault with the noble Lord for the unequivocal manner in which he had expressed his views, he willingly admitted that, from his experience of military life, in war and peace, there was no man better entitled than the noble Lord to form an opinion, and to utter it fearlessly, on the subject of military service. This he did not hesitate to admit; but he was bound to say that he, notwithstanding, differed totally from the noble Lord with respect to his opinions on the principle involved in the present measure. The Bill did not now come before the House in the same form which it presented when first introduced. He had divided it. And the reason he had done so was to simplify the great principle contained in it. His object was to procure the decision of the House on the naked simple principle of adopting for the future the system of limited enlistments. Being anxious to obtain a decision on this point, he had disencumbered the question of all foreign considerations whatsoever, and took out all allusion to Acts of Parliament having reference to pensioners and to the soldier's privileges. He did so with the view of bringing those questions into a separate Bill. For the present he only wanted to introduce a short Bill for the express purpose of limiting the period of enlistment. He did not at all concur in the opinion that this was a question on which that House was not competent to decide. On the contrary, he thought it was one on which they might be very fairly called upon to pronounce. It should be borne in mind, however, that the present measure could not pass into law without an ample opportunity being afforded to the highest military authority in the empire to declare his opinion upon it. The Royal Assent could not be given to it before it had passed through the other House of Legislature, of which the Commander-in-chief was so distinguished a Member. A discussion would take place there, in which, no doubt, that illustrious Personage would take part. But even though the Commander-in-chief had not a seat in the House of Lords, he could not on that account accede to the proposition that the House of Commons was not a competent tribunal to pronounce on the question. He did not wish to underrate the value of the opinions of military officers on military questions—far from it; but he would take leave to remind the House of this undoubted fact, that changes had been introduced by that House, which were now universally admitted to be great improvements in the British Army, but which, nevertheless, on their first introduction, had had to encounter an unequivocal opposition on the part of the older officers in the service. He was not sure, that however distinguished by rank and service those officers might be, their minds were not liable to be warped by an undue prejudice in favour of regulations and institutions to which from ancient habit they were already attached. With respect to the prospective effect of limited enlistment on those who were already enlisted for an indefinite period, he could only say that all due care and precaution should be taken to prevent the spread of any spirit of discontent amongst the soldiers thus circumstanced. He would not further trespass on the attention of the House, but would conclude with the expression of a hope that they would sanction the third reading of the Bill.

Colonel T. WOOD objected that the Government had not been sufficiently explicit in describing the data on which they went, and the object which they had in view in introducing this measure. On these points accurate information should have been furnished, before the House was called upon to interfere in a question which might have been decided by the exercise of the royal prerogative without any reference whatever to them. One would suppose that the natural object the right hon. Gentleman had in view was to improve the efficiency of the Army; but if they were to regard it in that light, how did it occur that the period he selected for giving the soldier leave to take his free discharge was just the period of his service when he was capable of rendering the most efficient service to his country? It was the period when the human frame had attained its maturity, when the irregularities of youth had been got over, and when the soldier was somewhat hardened in the service. It was also to be remembered, that if wages were high at the time the soldier was entitled to his discharge, he would be naturally inclined to accept higher wages than he obtained in the Army, and leave the service. It was likewise to be observed, that this measure was differently framed from the regulation of 1806. That regulation tended to keep the hardy soldier in the service; but the tendency, he conceived, of this Bill was to disband the Army. For reasons he had stated, he should vote with his hon. and gallant Friend the Member for Liverpool against the third reading of this Bill.

Colonel LINDSAY observed, that the soldier who was now serving had enlisted under specified warrants, and by those warrants he was bound up, and was entitled to a certain amount of pension which he (Colonel Lindsay) hoped would be altered; and he must express his opinion that, so far as the word injustice was used, there was no injustice in keeping the soldier now serving to the engagement into which he had entered. But he hoped that if the supply of men were greater, as it was expected to be, the Government would relieve those soldiers sooner from their engagements than they were bound to do by the Act now in force. With respect to the question of limited service, he differed from the opinions expressed by some of his hon. and gallant Friends. He held the principle of limited service to be a good one; but, while he held that opinion, he thought that fourteen years would be better than ten. He also held that this Bill was defective, without some assurance or notification being given of an increase of pensions. He would vote for the Bill if he thought that there would be an increase of pension when the soldier had completed his second period of service; but he would vote against the Bill because no announcement had been made by the financial authorities with reference to pensions. With respect to the assertion that a better class of recruits would be obtained if this measure were passed, his (Colonel Lindsay's) idea was this—he believed, if limited service became the law, there would be a greater supply of men, and consequently a greater power of selection. He repeated that, on the ground of pensions alone, if the hon. and gallant Member for Liverpool pressed the Motion to a division, he would go into the same lobby with him.

Lord J. RUSSELL: I have to say a few words as to the ground on which the Government has brought forward this measure, before the Bill is, as I hope it will be, finally passed. The hon. and gallant General who objected to this Bill is, no doubt, a very high military authority; and it must be admitted that he has pointed out in former debates, and during this debate, several inconveniences that may arise, especially in the colonial service, by carrying limited service into effect. But I own, considering the state of this country, and the state of the Army, that I think the time is come when there must be a very great change with regard to the mode of enlistment, and the period for which the enlistment shall take place. I think, in the first place, it is most desirable that you should have a larger class of persons from whom you may procure recruits for the Army; and I think it is quite clear, even without having any particular data or calculation on the subject, that the circumstance of a man seeing there is a limited period at the end of which he will obtain relief from military service, and be able to devote himself to other pursuits while health and strength are still left to him to go on with those other pursuits, if a continuance in the Army is disagreeable to him, would obviously be a reason for a man enlisting in the Army on sober and steady calculation, instead of taking up the decision in a moment of haste and despair, and afterwards becoming discontented. It likewise appears to me to be obvious that if men enlist with a more sober calculation of the state to which they are about to belong, they will be, I think, more contented with their position than they now are. This is one of many measures by which we hope to make the condition of the soldier more satisfactory to the men themselves that are serving, and more in conformity with the general improvement in the state of the country. It is not an answer to us to say that there was a good Army thirty or forty years ago, in the Peninsula or at Waterloo, for we must make all the different institutions of the country conform to the general spirit of the times and the advancement of the day. It does appear to me that we shall altogether by this measure introduce a spirit into the service that will make the soldier more contented, than he would be if we retained the old mode of government in the Army in an unaltered state. These are the general reasons why I think some change is necessary and should be made. I admit fully the inconvenience the hon. and gallant General has pointed out; but I think this general argument is sufficient to overbear all that inconvenience. I can assure the hon. and gallant Gentleman who spoke last that the question with regard to pensions shall be considered. The Warrant of 1836 was very well considered; it had the consent of Lord Hill and the military authorities of the time, and put an end to much confusion that prevailed. But at the same time I admit, in the altered circumstances of the Army, when the men shall only be enlisted for ten years —and wishing that those men who are good soldiers should be enlisted for a further time; that the amount of the pension ought to be fully considered; and that the suggestions which have been made in this House—one suggestion was made by a right hon. Gentleman not now present (the late Secretary at War)—should be fully considered by the Government before the Act is passed which will regulate the pensions; I shall—differing as I do from the hon. Gentlemen who have opposed this measure—give with great satisfaction my assistance, as a Member of the Government, to carry this Bill.

The House divided on the question that the word "now" stand part of the question:—Ayes 91; Noes 42: Majority 49.

List of the Ayes.

Aldam, W.
Anson, hon. Col.
Arundel and Surrey, Earl of
Baine, W.
Bannerman, A.
Baring, rt. hon. F. T.
Barnard, E. G.
Berkeley, hon. Capt.
Bodkin, J. J.
Bowring, Dr.
Brotherton, J.
Brown, W.
Buller, C.
Byng, rt. hon. G. S.
Callaghan, D.
Cayley, E. S.
Chaplin, W. J.
Clive, Visct.
Collett, J.
Cowper, hon. W. F.
Dalmeny, Lord
Dalrymple, Capt.
Dawson, hon. T. V.
Dickinson, F. H.
Dundas, Adm.
Dundas, Sir D.
Easthope, Sir J.
Ebrington, Visct.
Escott, B.
Ewart, W.
Forster, M.
Gibson, rt. hon. T. M.
Gore, hon. R.
Greene, T.
Grey, rt. hon. Sir G.
Grosvenor, Lord R.
Hanmer, Sir J.
Hatton, Capt. V.
Hawes, B.
Heneage, G. H. W.
Heneage, E.
Hobhouse, rt. hn. Sir J.
Hollond, R.
Hume, J.
Jervis, Sir J.
Labouchere, rt. hon. H.
Lambton, H.
Langston, J. H.
Loch, J.
Macaulay, rt. hon. T. B.
M'Carthy, A.
M'Donnell, J. M.
Mainwaring, T.
Maitland, T.
Mangles, R. D.
Marjoribanks, S.
Maule, rt. hon. F.
Mitchell, T. A.
Moffatt, G.
Monahan, J. H.
Morpeth, Visct.
Morris, D.
Mostyn, hon. E. M. L.
Muntz, G. F.
O'Connell, M. J.
Ogle, S. C. H.
Ord, W.
Paget, Col.
Perfect, R.
Philipps, Sir R. B. P.
Pinney, W.
Ponsonby, hon. C. F. A.
Pulsford, R.
Rawdon, Col.
Repton, G. W. J.
Rich, H.
Russell, Lord J.
Rutherfurd, A.
Seymer, H. K.
Seymour, Lord
Sheil, rt. hon. R. L.
Sheridan, R. B.
Somerville, Sir W. M.
Stuart, Lord J.
Talbot, C.
Thornely, T.
Ward, H. G.
Watson, W. H.
Wawn, J. T.
Williams, W.
Wyse, T.
Yorke, H. R.

TELLERS.
Parker, J.
Tufnell, H.

List of the Noes.

Allix, J. P.
Archdall, Capt. M.
Arkwright, G.
Bankes, G.
Bentinck, Lord G.
Beresford, Major
Berkeley, hon. C.
Broadley, H.
Burroughes, H. N.
Chandos, Marq. of
Chichester, Lord J. L.
Christopher, R. A.
Collett, W. R.
Cripps, W.
Disraeli, B.
Douglas, Sir C. E.
East, Sir J. B.
Fitzroy, Lord C.
Floyer, J.
Gooch, E. S.
Gordon, hon. Capt.
Goring, C.
Halsey, T. P.
Henley, J. W.
Hotham, Lord
Hudson, G.
Ingestre, Visct.
Lindsay, Col.
Lowther, hon. Col.
Lygon, hon. Gen.
Manners, Lord C. S.
Newdegate, C. N.
Packe, C. W.
Prime, R.
Reid, Col.
Sibthorp, Col.
Stuart, H.
Thompson, Ald.
Vyse, H.
Wodehouse, E.
Wood, Col. T.
Worcester, Marq. of

TELLERS.
Boldero, Capt.
Douglas, Sir H.

Mr. FOX MAULE then moved the omission of Clauses 4, 5, 6, 7, and 8, which was agreed to; and also the addition of some new clauses, which were read first, second, and third times, and added to the Bill.

Colonel T. WOOD moved as an Amendment that in Clause 2, line 1, the following words should be struck out:—

> "After completing the term of limited service for which he shall have first engaged, and being approved by his commanding officer or other competent military authority, as a fit person to continue in Her Majesty's service as a soldier."

As this was a matter of regulation, he considered it would be better to omit these words.

Mr. F. MAULE would not consent to strike out the words, for the effect would exactly be that if they rendered a soldier liable to be enlisted during the period he first engaged to serve, he would be open to the solicitations and coaxings of commanding officers.

COLONEL T. WOOD: Really the right hon. Gentleman has made a most unwarrantable imputation upon the commanding officers of Her Majesty's service.

COLONEL SIBTHORP observed, that the right hon. Gentleman the Secretary at War had introduced a Bill containing only eight clauses, but out of which he now proposed to strike no less than five. That was a nice Bill for a right hon. Gentleman, a Member of the Government and the Secretary at War, to bring before the Legislative Assembly. Bearing in mind that the right hon. Gentleman himself had set the example of mutilating the Bill, and proposed to strike out five out of eight clauses, he thought his hon. and gallant Friend below him (Colonel Wood) was quite justified in his request to have a portion of the 2nd Clause struck out. If the House agreed to that, he would propose to strike out the 1st Clause, and then the Government might perhaps be induced to withdraw the remainder altogether. If this was to be taken as a specimen of the legislation of the present Government, he might fairly be warranted in exclaiming, "Good Lord, defend us from such legislation for the future!"

COLONEL T. WOOD defended the commanding officers of Her Majesty's service against the imputation of attempting to bully or induce by undue means the men under them to re-enlist. Such conduct would be unworthy of British officers, and those practising it ought to be removed from the command of a regiment. The right hon. Gentleman could know very little of the character of commanding officers if he could impute such practices to them.

Motion negatived. Bill passed.

House adjourned at half-past Twelve o'clock.

HOUSE OF LORDS,

Friday, April 16, 1847.

MINUTES.] PUBLIC BILLS.—1ª Army Service; Prisons (Ireland); Exchequer Bills; Troops during Elections. 2ª Mutiny; Marine Mutiny; Indemnity.

PETITIONS PRESENTED. From Dissenters of Marlock, and several other places, against the proposed Government Plan of Education.—By the Earl of Auckland, from the Parish of All Saints, Poplar, against the Abolition of the Navigation Laws.—By Lord Brougham, from Glasgow, complaining of the Immigration of Irish Paupers.—From Liverpool and other places, complaining of the present State of the Law of Debtor and Creditor.—From Coventry and several other places, in favour of the proposed Government Plan of Education.—From Chepstow and Frome, for the Repeal of the Poor Removal Act.

ABOLITION OF IMPRISONMENT FOR DEBT.

LORD BROUGHAM presented petitions from the Guardian Society for the protection of trade in Hull, signed by the president and vice-presidents; and from similar societies in Liverpool and Preston, stating some grievances attendant upon the present condition of the laws relating to creditor and debtor, and praying for the application of a remedy. His Lordship proceeded to state that the Act passed in 1838, and the two Bills for which he had had the good fortune to obtain the sanction of their Lordships, and of the other House of Parliament in 1844 and 1845, for the abolition of arrest for debt, were all defective in one particular. They gave a power to arrest a debtor who was about to leave the country; but the only mode by which the warrant could be obtained was by application to one of the Judges at Westminster-hall, who might issue a fiat upon the affidavit of the applicant. Now, it was quite certain that the power ought to be lodged in the hands of some authority more generally accessible; and the petitioners prayed that it should be lodged locally in the hands of local judges, for, as the law stood, the applicants would have to come to London to apply to one of the Judges in chambers unless a Judge might happen to be on circuit in the neighbourhood. By the construction of the Act as it stood, after the party had been arrested and held to bail, he might make his affidavit totally, completely denying the whole circumstances on which the creditor's affidavit had been founded, and on which the *ne exeat* had been issued; and then, as in a case which had occurred, where a debtor in a spunging-house in Chancery-lane had made an affidavit, the Judge allowed another in reply to be put in, and after that again another in rejoinder, and so it might go on.

LORD CAMPBELL was understood to say, that heretofore there would have been great difficulty in finding suitable local hands in which such power could be placed; but now the judges of the new Small

Debts Courts, who were persons of great learning and ability, might be entrusted with it.

THE ARMY SERVICE BILL.

Earl GREY moved the first reading of this Bill, which was agreed to. His Lordship then moved that it should be read a second time on Tuesday next.

Lord STANLEY said, that the Bill was one which, although very much approved of by many, was likewise disapproved of by many officers of high standing in the Army. There was great doubt as to the utility and practicability of the measure, and such opinions had been expressed by high military authorities. He, therefore, thought that it would not be well to press the second reading of the Bill, when it ought to be discussed on its principle, within three days after its introduction into the House.

Earl GREY said, that it would be desirable that the discussion should take place as soon as possible. At the same time, he would not wish to press it on a particular day against the convenience of the noble Lord. But it would cause very serious inconvenience if not passed by that day week.

The **Duke of WELLINGTON** thought that, as an alteration was proposed to be made in the Mutiny Act connected with the very objects of this Bill, it would be convenient that the discussion on both should take place simultaneously. If the second reading of this Bill was to be taken on Friday, the discussion on the main points of the Mutiny Bill ought to be taken on that day also.

Lord STANLEY observed, that the Secretary at War, in bringing forward this measure, had given reasons why he had not proposed the change merely by the introduction of a clause in the Mutiny Act. This led to the belief that no alteration in that Act was intended; and now for the first time he (Lord Stanley) learned that provisions were introduced into the Mutiny Bill which required the decision of that House.

The **Duke of WELLINGTON** begged to state that the alteration referred to the schedule in the Mutiny Bill. He wished it to be observed, however, that the Mutiny Bill was, of course, only for this year, while the other Bill was proposed to be a permanent measure.

Earl GREY stated, that his right hon. Friend the Secretary at War had taken credit to the Government, that the great change proposed was not effected, as it might have been, by merely introducing a clause into the annual Mutiny Bill; for if that had been done it would have thrown impediments in the way of the fair discussion of the principle of limited enlistment. His right hon. Friend had therefore introduced a distinct and permanent measure, which it was proposed to read a second time in that House on Monday week. It was a matter of importance, however, to make the schedule of the Mutiny Bill correspond with the measure now before the House. Therefore, as the Mutiny Bill stood for the present year, and for the present year only, it was as had been described. If, then, that House refused to pass the Army Service Bill, the Mutiny Bill could, on a future occasion, be returned to its former state. He could not conceive any objection to pass the Mutiny Bill as it stood, and the greatest inconvenience would occur if it were not passed without delay.

Lord STANLEY hoped that there would be no objection to print the present Mutiny Bill, so that they might see to what extent it differed from former Bills.

Earl GREY had no objection.

House adjourned.

HOUSE OF COMMONS,

Friday, April 16, 1847.

Minutes.] Public Bills.—1° Highways.

3° and passed: Poor Relief (Ireland); Landed Property (Ireland).

Petitions Presented. By Viscount Duncan, from the Members of the Bath Association, for the Better Observance of the Sabbath.—By Lord Dalmeny and Admiral Gordon, from two places in Scotland, against the Marriage (Scotland) Bill.—By the Earl of Arundel and Surrey and other hon. Members, from several places, in favour of the Roman Catholic Relief Bill.—By Mr. Loch, from the Temperance Society of Runcorn, against the Use of Grain in Breweries and Distilleries.—By Mr. W. Patten, from Glasgow, in favour of placing Canals under Government Control.—By a great number of hon. Members, from an immense number of places, against the proposed Plan of Education.—By Mr. Aldam and other hon. Members, from several places, in favour of the proposed Plan of Education.—By Sir D. Le Marchant, from Worcester, respecting the Health of Towns Bill.—By Mr. Bankes, for Inquiry into the Holyhead Harbour.—By Sir William Clay and other hon. Members, from several places, against the Repeal of the Navigation Laws.—By Sir W. Clay, from Middlesex, for an efficient Law relating to the Poor Law (Ireland).—By Major Macnamara and Mr. P. Scrope, from two places in Ireland, for Alteration of the Poor Relief (Ireland) Bill.—By Mr. Rashleigh and Lord Rendlesham, from several places, for Repeal or Alteration of the Poor Removal Act; and from Shipowners of Woodbridge and Aldborough, in favour of the Ports, Harbours, &c. Bill (1846).—By Viscount Duncan and Mr. Trotter, from several places, for the Suppression of Promiscuous Intercourse.—By Lord Dalmeny and Admiral Gordon, from two places in Scotland, against the Registering Births, &c. (Scotland) Bill.

FEES ON PRIVATE BILLS.

MR. HUME rose, in pursuance of notice, to direct the attention of the House to a subject of considerable public importance, founded upon the Second Report of the Select Committee on Private Bills. He moved that the Second Report from Committee on Private Bills be read. The report having been read, the hon. Member proceeded. It was acknowledged even by the officers of the House, and especially by the Clerk of the Fees, that fees on Private Bills were extremely complicated, and it appeared to all that a change of system was necessary. It was of much consequence to people out of doors that the matter should be clearly understood, since a notion was generally prevalent that the great expense of Private Bills was occasioned by the large fees of the House, when the fact was the very reverse. But whatever fees were charged, it was most expedient that they should be simple and intelligible; and the Committee had been of opinion that this end might be easily accomplished, and to the satisfaction of all parties. Their report was in favour of the abolition of the whole of the present complex system of fees, and of the adoption, in lieu of it, of a single and a certain fee upon every distinct stage of a Private Bill. The Committee was well aware that the Speaker had bestowed much attention on the subject, and wished that he should prepare a new table of fees upon the principle pointed out. The Members considered it was unworthy the House to derive profit or revenue from the fees, and suggested that the Speaker should form them upon such a scale as would merely meet the charges and pay the expenses of the official establishment. They thought that 1844 was a year with a fair average of private business, but that 1845 and 1846 were not fair average years, and that it was expedient to calculate the new table of fees upon the average of 1844. Their report, therefore, was, that the Speaker should prepare a new table of fees, and upon this report he founded his Motion. The hon. Member concluded by moving the first of the two following Resolutions:—

Resolved—"That it is expedient to establish a new Table of Fees, as recommended by the Committee on Private Business in their Second Report, with a view to abolish the present complex system of charging a great many small fees on the various proceedings of a Bill, and to substitute a single fee on the principal stages.

Resolved—"That Mr. Speaker be requested to cause a new Table of Fees to be prepared in lieu of the several Tables and Resolutions relating to Fees, of the 22nd day of February, 1731; the 19th day of June, 1746; the 13th day of June, 1751; the 2nd day of July, 1801; the 4th day of April, 1803; the 18th day of May, 1813; the 4th day of July, 1822; the 16th day of February, 1829; and the 22nd day of July, 1830."

MR. GREENE seconded the Motion, wishing it to be distinctly understood, that until last year the House had derived no revenue from the fees upon Private Bills; last year the private business had been so abundant as more than to pay the ordinary expenses of the officers of the House. Generally the fees paid by parties had not been sufficient for that purpose, and they were placed in a common fee-fund, out of which the clerks and others were remunerated by salaries; if there were any deficiency, it was made up out of the Exchequer; but last year a sum was paid into the Exchequer in consequence of the large sums contributed to the fee-fund.

The Resolutions were both agreed to.

SEVENTY-TWO-GUN SHIPS.

SIR C. NAPIER, pursuant to notice, asked whether the Admiralty had issued an order relative to suspending the construction of 72-gun ships, and whether that order had been subsequently withdrawn, and another made for continuing the building of them?

MR. WARD said, that in 1844 an order was issued to suspend the construction of the *Aboukir*, the *Exmouth*, and the *Princess Royal*: the works were not resumed in 1845 and 1846; but in the programme of 1846-7 those ships were included, and it was directed that the *Aboukir* should be advanced to a certain stage of completion. No other order was given, and the works proceeded until they were suspended by the Admiralty order of March, 1847. They were now again proceeding.

EDUCATION.

MR. HINDLEY asked the First Lord of the Treasury when it was likely that the reports of the inspectors would be laid before the House? Whether it were desirable to proceed with the debate on the miscellaneous estimates as regarded Education without those reports? And thirdly, whether what he had seen in the public journals was correct, that the noble Lord had intimated to some persons that the vote of this year would be applied in strict conformity with former practice, and would not be laid out in accordance with the Minute of Education?

LORD J. RUSSELL, in answer to the first question, said, that the reports of the inspectors were not yet ready; but as soon as they were, they should be presented. As to the second question, he replied that he did not think it necessary to wait for those reports, in order to enable the House to decide whether it would consent to a vote of money according to the proposal of Government. On the third question, he had to state that if the money to be asked for were granted, it would be laid out according to the former rule, and according to the Minute of December, 1846. He did not know what authority the hon. Member had for the statement he had made; but he (Lord J. Russell) had never said anything of the kind. He had taken care that detailed estimates should be furnished by the Secretary of the Committee of Privy Council similar to those given on former occasions on votes for Education in Ireland, in order to enable the House to see what would be the course of expenditure. The sum would be 100,000*l.*, exactly the same as was asked for last year.

LOSS OF THE TWEED.

MR. MUNTZ inquired whether any step had been taken to reward the Spanish captain, who had so humanely and generously gone to the assistance of the survivors of the unfortunate steam ship the *Tweed?*

LORD J. RUSSELL said, that Government had received with the highest satisfaction the intelligence of the heroic conduct referred to by the hon. Member. Lord Auckland had, in consequence, been charged by Her Majesty to express to the Spanish captain the high gratification She had received from the generous course he had pursued. For this purpose his Lordship had been commanded to request the acceptance of a medal, upon which would be recorded the high service he had rendered in rescuing the survivors of the *Tweed,* with the date of the event. At the same time Her Majesty had directed that a gift of 500*l.* should be made to the captain to be disposed of in the manner most acceptable to the excellent and gallant officer, and to testify the sense Her Government entertained of his conduct.

BRITISH AND FOREIGN TARIFFS.

MR. NEWDEGATE complained of the delay which had taken place in furnishing the returns for which he had moved now three months since. These returns when obtained would put the House in possession of the alterations made since January 1, 1844, in the tariffs of foreign States, and of the terms upon which raw produce, goods or merchandise were imported into or exported from such foreign States, specifying the date of such alterations; also of any alterations of customs duties affecting the commerce of the British possessions under the 9th and 10th Vict., c. 93; of the declared value of manufactured cotton, woollen, silk, leather, hardware, pottery, and glass exported from this country, specifying the countries to which such importation should have taken place in the years 1844, 1845, and 1846; of the corn, grain, flour, butter, cheese, biscuit, and cured or fresh meat imported into this country in the years 1843, 1844, 1845, and 1846; and of the foreign States the Governments of which had either prohibited the exportation of, or imposed additional export duties on, corn, grain, flour, meal, potatoes, or other provisions, with the date of such prohibition or additional duty, in 1844, 1845, 1846, and 1847. After what had taken place last year, it must be obvious that the subject to which those returns related, must be one of considerable public anxiety; and he hoped therefore that no unnecessary delay would be interposed in their production.

MR. M. GIBSON said, that immediately after the order had been received by the Board of Trade, application was made to the proper quarter for the desired information; but to procure this involved so much labour that he regretted to say he was not yet able to lay the returns on the Table. It was also necessary to communicate with the agents of the British Government in foreign countries: and in these cases the hon. Member must see that it would be impossible to have obtained the information at so early a period as the hon. Member seemed to desire.

MR. BANKES complained that the right hon. Gentleman had assigned no probable or definite time for the production of the documents.

MR. M. GIBSON said, all the returns in the possession of the Government should be laid before the House.

BUTTER AND CHEESE DUTIES.

MR. TOLLEMACHE wished to ask the hon. Gentleman opposite, the Member for Winchester, whether he intended to persevere with the Motion of which he had given notice, for the abolition of the duties on butter and cheese.

Mr. ESCOTT said, since he had given notice of a Motion for the abrogation of these duties, he thought it necessary to calculate a little on the sinews of war by which he would be able to support it, as he did not wish to proceed with it unless he thought it would be effectual. He was not aware, in the present state of the House, that it was likely he would be able to carry his Motion; but if the hon. Member would promise him his support, or if the hon. Member for Stamford, or any other powerful section in the House, would come forward to his assistance, he would alter his view and proceed with the Motion, as he believed the butter and cheese duties were seriously detrimental to the great mass of the population of this country.

ENCUMBERED ESTATES IN SCOTLAND.

Viscount DUNCAN said, as he saw his right hon. and learned Friend the Lord Advocate in his place, he would take leave to ask him a question with regard to the measure for facilitating the sale of encumbered estates in Scotland, which he understood was under the consideration of the Government. He wished to know whether it were likely such a Bill would be brought forward?

The LORD ADVOCATE said, the subject to which his noble Friend alluded was now under the consideration of Government, with a view to the introduction of some measure for the relief of landed proprietors in Scotland. He hoped that such a measure, giving relief, at all events in certain cases, would be brought forward in the course of the present Session.

POOR RELIEF (IRELAND) BILL.

Lord J. RUSSELL moved the Third Reading of this Bill.

Mr. CORRY said, that he was anxious to explain his reasons for having voted against the clause of the Bill which sanctioned out-door relief to the able-bodied poor, of which he had not an opportunity when the Bill was discussed in Committee. He was quite sure that any stranger, deriving his information only from the speeches of the advocates of out-door relief during the present Session, and ignorant of what had passed in former years, would have imagined that its policy, as far at least as the interests of the poor were concerned, was unquestionable, or at least that it could be questioned by those alone, who, in the language of the hon. Member for Bath, were banded together for selfish purposes against the poor. No such stranger to the subject could ever have imagined that the question had been investigated during a long series of years, by Committee after Committee—by Commission after Commission—and had been discussed by statesman after statesman—and that the unanimous opinion of every authority on the subject, down to the present year—that is to say, so long as it was considered not as an English question, but as an Irish question—so long as it was to be determined not by clamour but by argument—had been that it would be as fatal to the interests of the poor themselves, as to those of the rich—of society at large, to which they thought it would be injurious to a ruinous degree. On other points of poor-law legislation, differences of opinion existed among them; but with respect to out-door relief to able-bodied persons, all were unanimous in condemning it; and so strongly had Mr. Nicholl, on whose report the existing poor law was founded, objected even to its occasional administration, that he recommended that it should be specially provided in the Poor Law Act, that no relief should be given except in the workhouse; and this had been his opinion, even with reference to the possible occurrence of a calamity such as they had now to deal with in Ireland, which Mr. Nicholl had said ought to be considered as an extreme case, to which it would be most unwise to adapt the regulations of ordinary poor-law administration. These had been the opinions, not of Irish landlords, banded together for selfish purposes, but of men whose disinterestedness could not be suspected, and whose arguments had been admitted in 1847, by the noble Lord at the head of Her Majesty's Government himself, to be conclusive; and he had in vain sought, during the course of these discussions, for a single argument calculated to upset these conclusions, or to prove that out-door relief to the able-bodied poor was, in any respect, applicable to the condition of a country so peculiarly circumstanced as Ireland. The noble Lord, indeed, at the head of Her Majesty's Government had endeavoured to set aside some of the objections to the measure, by expressing his confidence in the capability of the soil of Ireland, and in the willingness of the people to labour, and in the probability of the introduction of such a system of agriculture into Ireland as would provide employment for nearly the whole of the population of the country; but he thought, that if the noble Lord had referred to the statistics of which he was in possession, and which he admitted to be conclusive against out-door relief in 1837, he would have found some difficulty in convincing the House of the reasonableness of his expectations, or of the possibility, under whatever system of agriculture, of realizing his anticipations. He should like to know by what conceivable means, in those districts of Ireland in which the population was the greatest, as compared with the value and extent of property (and it was to the relief of those districts that the Bill was specially directed, and with reference to which, therefore, it ought specially to be argued), he meant in those districts in the south and west of Ireland, in which there was an average of about one head of population to every thirty shillings' worth of rateable property, employment could possibly be found for the people in the cultivation of the soil; or even supposing it to be possible to bring into cultivation such an additional quantity of land as would be necessary for this purpose, how it would be possible to maintain them in the meantime by rates to be levied off the land, even supposing the whole rental of the land to be divided among them? Such an obligation on the land would amount to nothing short of an entire confiscation of property, which would even then be wholly insufficient to supply the wants of the people. But it had been argued that those who maintained that to give a right of out-door relief to able-bodied destitute persons would lead to the confiscation of property, had proved too much for their own case, because, if destitution existed to such an extent as such an argument implied, it was clear that it ought to be relieved, and that the land was the proper source from which such relief should be derived. He admitted that in the south and west of Ireland he was at a loss to conceive by what means the population was to be maintained, if the potato was to cease to be the main article of food, unless indeed some extensive scheme of emigration were resorted to, coupled with extensive works for the employment of the people, and increasing the productiveness of the soil and the quantity of land in cultivation; but of this, at least, he was quite sure, that their wants could not be provided for by means of out-door relief, which, on the contrary, he was satisfied, would, by its demoralising effect, create more destitution than it would provide for, and thus only add to the difficulty which it was intended to remove. But in the more prosperous parts of Ireland he had a strong impression that, if the right to out-door relief were not conceded, there would be sufficient accommodation in the workhouses, now that the aged and infirm were entitled to be relieved out of doors, for all such able-bodied persons as would be willing to submit to the workhouse test; but if the right to out-door relief were conceded, he was satisfied that the feeling which it would engender among a people of whose proneness to rely on public means of support, rather than on their own individual exertions, the history of the past year had furnished so many examples—the feeling that they need no longer rely on their own labour for subsistence, which, if they became destitute, must be provided for them at the public charge, and without the irksomeness of workhouse restraint, would raise up such a mass of destitution as would ultimately prove an almost intolerable burden on the land. Their argument, therefore, was, not that there existed, but that the right to out-door relief would call into existence, that mass of destitution, to provide for which would, as they conceived, almost amount to confiscation. He was aware that there were those who argued, that, even if the concession of the right to out-door relief should prove so injurious to property as had been apprehended, the House ought not to be deterred from granting that right; because it was the duty of the proprietors of the soil to maintain the poor of the soil; and that, therefore, all such destitute persons as could not obtain admission to the workhouse ought to be relieved out of doors, whatever might be the consequences. No one was more ready than he was to admit that duty; and if it could be shown to him that the confiscation of property in Ireland was essential to the welfare of the people, he would not deny that the interests of a class ought to be sacrificed. But he should have thought that the veriest tyro in political science would have known that a flourishing condition of property was as necessary to the welfare of the poor as of the rich; that if you diminish the capital of the rich, you diminish his means of giving employment also; and that, if at last his whole property should be broken down by the weight of the burden which you impose upon it, the whole of the labouring population must be thrown upon the poor rates (for if you ruin the landlord you ruin the farmer also, who was to pay an equal proportion of the rate) and the result would be, in the words of the Poor Law Commissioners, to involve the landlord, the farmer, and the labourer, and the whole community, in general destruction. It had been stated by one of Her Majesty's Ministers, that those who anticipate the possibility of such disastrous consequences from the measure, were fighting chimeras of their own creating; because the Bill did not authorize out-door relief as a general and permanent system, but only in extreme cases, and for a limited period, and not without an order from the Poor Law Commissioners; but if the effects of the right, however guarded, should be as demoralising as he anticipated—if the people should become negligent of seeking employment, preferring a slothful existence at the public charge, to labour and independence, it was clear that great and general destitution must follow; and he knew not how, in that case, the Poor Law Commissioners could refuse to order out-door relief, and to renew the order from time to time; and thus, in his opinion, there was a great danger of out-door relief becoming, at least in the most distressed districts of Ireland, which were the least able to bear it, the rule, and not the exception to the rule, of ordinary poor-law administration, and leading to all the disastrous consequences which, he thought, they had so much reason to apprehend. But the noble Lord at the head of Her Majesty's Government appeared to consider that a conclusive argument in favour of out-door relief was involved in the question, which, he said, the deputation of Irish Members was not able to answer—"by what other alternative, when destitution existed to a greater extent than the workhouse could provide for, do you propose to save the poor from starving?" He thought, that before the noble Lord asked that question, he ought to have explained that the alternative proposed by himself would, at least, be effectual for that purpose; but he had not explained how in those districts to which he had already referred, in which the whole value of rateable property varied from one to two pounds for every head of the population, rates were to be collected to a sufficient amount to provide for the wants of the poor. Why, it was an absolute impossibility; and he thought the noble Lord had therefore had no right to ask by what other alternative they proposed to do that which his own alternative clearly could not do. But, he thought, nevertheless, that a direct answer might be given to the noble Lord's question. If it had been put with reference to the present calamitous state of the poor in Ireland, his answer would be, that he agreed with Mr. Nicholl in thinking that famine was irremediable by any poor law, and, therefore, ought not to be met by a permanent law such as had been proposed: if, on the contrary, it had reference to the ordinary extent of destitution which was likely to prevail in Ireland, after the present crisis should have passed away, he would remind the noble Lord, that he had himself expressed it as his opinion that no man could foresee to what changes in the system of agriculture, and in the social condition of Ireland, the present crisis was likely to lead; and he thought, therefore, that the noble Lord would have adopted a far wiser and more prudent course, if, instead of legislating thus in the dark, and proposing, under the influence of a temporary pressure, a permanent measure, from which there could be no retreat, however ill adapted it might prove to the condition of the country, he had contented himself during the present Session with such temporary measures as the necessities of Ireland might deem to require, reserving the question of permanent legislation to some future period, when he would be in a better position to judge what description of poor law would be most applicable to the then altered condition of the country. It appeared to him, therefore, that, even admitting, for argument sake, the force of the reasoning of the advocates for out-door relief, that the permanent measure to which they were now called on to assent was, to say the least of it, premature. The effects of the Bill would, in his opinion, be precisely the reverse of those which its promoters contemplated. They wished to stimulate the owners and the occupiers of the soil—the landlord and the farmer—to introduce an improved system of agriculture, and to give employment to the greatest possible number of the labouring poor; and they introduced a Bill which, in many parts of Ireland, would, he believed, utterly paralyse their means of exertion, and render them utterly unable to extricate themselves from the difficulties which surrounded them. They wished to encourage emigration. The calamity which had fallen upon Ireland had warned hundreds of thousands that they must seek the means of subsistence in those regions which yet remained uncultivated for want of the population of which Ireland had so great a superabundance; but the noble Lord stepped in with this Bill, and told them that there was no such absolute necessity for seeking subsistence abroad, because subsistence at least must be provided for them at home. The noble Lord at the head of the Government had, in the course of these discussions, attributed the want of energy in agricultural pursuits among the peasantry of Ireland to the facility with which they had hitherto obtained the means of an indolent and slothful existence—a little food and a wretched shelter—which was all that they required; and he now told them that he had great confidence in their willingness to labour; but that if he should be disappointed in that respect, they at least need not be disquieted, for that, come what might, their condition could not be much worse than that with which they had hitherto been contented, and that so long as a penny could be collected from the land, that penny must be applied to their support. The noble Lord had asserted, that the necessity for this measure had been proved by the smallness of the rate which had been collected in Ireland under the existing law. He (Mr. Corry) was the last person to deny that some change in the law was required, because he had himself argued, when the existing law was under discussion, that outdoor relief ought to be administered to the aged and infirm; and of that portion of the Bill, therefore, he cordially approved. He fully admitted the obligation of the soil to support its own poor by every practicable means, but not by means which, he was satisfied, would defeat their own end, and be most disastrous to the general interest of the community. He thought that this measure had been produced more in the reckless spirit of a gambler, than with the prudence of a statesman. So long as Ireland was comparatively prosperous, no man dared to propose the introduction of outdoor relief to able-bodied persons into the system of her poor-law administration; but the moment that she appeared to be involved in almost inextricable difficulties, Her Majesty's Government no longer hesitated to stake all on the hazard of a die, and to embark in so rash an experiment. ["Hear, hear!"] That the experiment was a safe one, he believed no one had pretended to argue; and the differences between its advocates and himself was, that they considered it a dangerous experiment, while he regarded it as ruinous; and thinking, as he did, that the measure was fraught with consequences ruinous to the best interests of all classes of his countrymen, he had felt it his duty to enter his protest against it on the present occasion.

Mr. FRENCH commenced by saying, that as his right hon. Friend who had just sat down had declared there was no intention of dividing the House on the third reading of the Bill, he did not consider it necessary to detain the House by repeating the arguments which had already been urged as to the danger of out-door relief to the able-bodied poor in Ireland, and as to the unfairness of legislating permanently for Ireland in a time of such excitement as the present. Nothing, he felt assured, he could say on any of those arguments which he, in common with those who were best acquainted with Ireland, and with the peril to which they were exposed by such a principle being embodied in the proposed measure, would affect the determination of a majority of this House to legislate for Ireland as they considered most for the advantage of England—his sole object in rising was to call the attention of the Government to the frightful state of disease in the union workhouses in Ireland, and to call on them to act promptly and vigorously. The reports of Dr. Stephens, presented on the Motion of the right hon. Member for Stroud, and now in the hands of Members, would enable them to form some idea of the state of Cork and of the south of Ireland. In the west of Ireland, matters were even still worse. He found in Sligo, from the papers, that scarcely a single house there inhabited by the distressed classes was free from fever—that the fever hospital in the town was full—that there were upwards of 100 patients—and that the coffinmakers were now making upwards of fifty coffins a day. By a letter he had just received from Castlerea, he found that out of 990 inmates of the workhouse, 830 had been attacked by the workhouse fever, of which the former master and matron had lately died. The doctor in attendance on it had resigned. His successor and the present master were also in the fever; and in the course of a few days fifty patients had died of it. When the fever first appeared in Carrick-on-Shannon and other workhouses, the mortality was not above 5 per cent; it had since increased in an appalling degree.

Things appeared as bad throughout all Ireland; and there was scarcely any preparation to meet the increase of disease which uniformly attended on famine. In Kilkenny Dr. Phelan found the fever patients four in a bed. The expense must be enormous, and as yet no attempt had been made by the Executive to control it. He saw an estimate the other day for the extra expenses for one week, thirty gallons of whisky, eight dozen of port wine, three cwt. of soft sugar, tea and other articles in the same proportion. How the rates were to be borne or collected in the west of Ireland, was beyond his powers of even conjecture. No rents of any kind were to be had. All the farmers, possessed of any capital, fearful of the impending taxation, were emigrating to America; and although the Government had got their Bill, he doubted very much if they would get money through it to carry out its objects.

VISCOUNT JOCELYN wished to say a few words on the subject of a measure which he believed, as stated by the noble Lord at the commencement of the Session, to be one of the most important that could be submitted to the consideration of Parliament. Looking at the amendments and alterations that had been adopted since the Bill was first introduced, he trusted that they were such as would facilitate the working of the measure, without that danger which was to be apprehended from its original form. He thought, however, that it would have been wiser if the Government had decided on introducing only a temporary measure in the first instance, and had allowed the House to come to the consideration of a permanent enactment at a time when there would be less excitement on the question. He said this, not because he felt any hostility to a poor law in Ireland, but because he agreed with Mr. Nicholls, that any hasty legislation on the subject of out-door relief in a period of great excitement, like the present, was calculated to increase the difficulties with which they had to contend. He felt that this measure had not received that consideration which so grave a question demanded. He believed, however, that the Amendments which had been adopted were calculated to improve the working of the Bill; and although many of the provisions of those Amendments would doubtless be evaded, yet they would serve to mark what the wishes or intentions of the Government and of the Legislature were. He thought the question which they had to ask themselves was, whether they could expect to be able to resist further concessions, and to maintain the safeguards now adopted? Looking, however, at the language which was held on the subject of out-door relief when the poor law was first introduced for Ireland, and seeing how the barriers which were then felt to be absolutely necessary, were thrown down by the present measure, he could not rest perfectly secure on that point. He did not think, however, that the danger of a probable further extension of the poor law hereafter, was a sufficient reason for opposing the Bill; and, approving as he did of the Amendments that had been adopted, he should feel it his duty to support the third reading. At the same time, he thought it right to protest against the ground which some hon. Gentlemen, and particularly the hon. Member for Bath, in his last speech on this question, laid down for supporting it, namely, that it was to be considered as an equivalent for the facilities afforded to the Irish proprietors for the improvement of their estates by another measure, and that both should stand *pari passu* in their progress through the House. He could not regard that other Bill in such a light. No loans were to be made, except where the officer of the Government was fully satisfied as to the security both of the capital and of the interest; and he believed the capitalists of this country held the opinion expressed by his noble Friend the Member for Lynn, that there was no mode by which the credit of this country could be so beneficially employed as in developing the resources of Ireland. If the present Bill had stood alone, and as originally proposed, he should have felt it his duty to oppose it; but he regarded it as a part of a great and extensive scheme for the improvement of Ireland, and on that account it was that he gave it his support. He regretted, however, that Her Majesty's Government had not thought it expedient to call upon all those who had charges upon landed property to contribute to the rates for the relief of the poor. Annuitants, mortgagees, the holders of settlements and jointures, all derived their beneficial interests from landed property; they should therefore be compelled to bear a fair portion of the burden, and he hoped Her Majesty's Government would yet see the justice of calling upon them to bear their share under this Bill. It was with some regret that he felt called upon to say that this measure had assumed the character of hasty legislation. The whole of the evidence on the subject which had been laid on the Table showed that giving the right of out-door relief to the able-bodied poor in Ireland, would increase, instead of diminishing, the existing evils of the country; and, having this conviction himself, it was with considerable doubt and hesitation that he gave his support to the measure. The only hope of benefit to Ireland was, not in one, but in a combination of measures, giving encouragement to labour, and to the introduction of capital, accompanied by provisions of this description, to prevent the able-bodied labourer from starving when unable to obtain employment. Looking at the general measures of the noble Lord, and on the hearty and generous spirit in which he had introduced them, he must express his belief that they would be beneficial to the country. Never, indeed, had so fair an opportunity offered for a wise and courageous statesman to legislate for the improvement of Ireland. Some of the noble Lord's measures were too favourable towards the landlord class. It was not his province to defend the landlords, many of whom, he admitted, must be open to grave and serious charges; but if those who entertained the extreme opinions of the hon. and learned Member for Bath, would turn to Lord Devon's report, they would see it stated that there was much exaggeration in many of the charges against the landlords of Ireland. There were three classes of landlords in that country—one which properly performed their duties; a second which were desirous of doing their duty, but did not possess the means; and a third which shamefully neglected their duty. However hateful the name of an Irish landlord might be in England, it was through that class only that the benefits intended by the Legislature could be diffused among the people. Those who were desirous of properly performing their duty, must be encouraged and enabled to perform it; whilst those who neglected it must be compelled to perform their duty. Legislation of this kind would raise the character of the Irish people, and cement more closely the union between the two countries. It would, indeed, be the best reply to those who demanded a repeal of the Legislative Union between the two countries. Much had been said upon the alleged evils which repeal of the Union would produce to Ireland; but he would tell those who believed it would be fatal to Ireland, that it would also be fatal to England; for the grandeur and power of England materially depended upon the security and happiness of Ireland. If it were said that the present state of Ireland was owing to the neglect of the landlords and the apathy of the people, he would refer to the bad legislation of past centuries, and ask whether it could be expected that the memory and consequences of such laws could all at once pass away? It was not difficult to detect the essential evils under which Ireland was labouring. The greatest was, that the law was not powerful to punish. The law, therefore, in the first instance, should be placed upon a sound footing, and the guilty be made to feel that punishment would assuredly follow crime. Besides this, facilities must be afforded to the introduction of capital, also to changes of property; the middle classes must be encouraged—men who would give a new direction to public opinion, and upon whom should rest the operation of the present measure in their several districts. As an Irishman, he thanked the noble Lord for the knowledge he had displayed of the wants of Ireland. A generation might pass away before the effect of wise legislation would be properly felt in Ireland; but it was only by large aad liberal measures being now adopted, that the country could rise in the scale of nations; and, in the firm belief that it was the noble Lord's intention to raise Ireland, he should give the measure his humble support.

Mr. TRELAWNY thought that a proper poor law in Ireland would have the effect of preventing crime; for it would have the effect of preventing those hordes of sturdy beggars wandering about in quest of some means to support their existence. He considered that the reasons were tenfold for the introduction of a poor law into Ireland to what they were for one in England. If a poor law existed in England, while Ireland would be deprived of it, the necessary effect of it would be to draw over here the population of the sister country. He wanted to know whether there was any provision for taxing personal property as well as landed property for the maintenance of the poor? He thought this measure should be passed as soon as possible; for everybody must admit that the country was bound to support her own population; and this measure was perfectly sound and unobjectionable as far as it went.

Sir W. JAMES said, that on a former occasion his remarks on the subject of emigration had been misunderstood. All he meant to say was, that he hoped the Government, in making, at present, so small a grant as that which they proposed for the purposes of emigration, did not mean to adhere to the rule of small grants for that purpose on future occasions. He wished to say one word on the subject of the measure before the House; but previous to doing so, he desired to observe that emigration was not a thing, as some people supposed it to be, identical with out-door relief. They had this in common, that both were assistances to the poor; but in another point they widely differed; for, whereas out-door relief kept people at home, emigration, as the word implied, sent them out of the country. With respect to the Bill before them, he quite agreed with the noble Lord the Member for King's Lynn, that it was a Bill which well deserved the support both of English and of Irish Members. The Archbishop of Dublin, in another place, observed, that in passing a measure of this description, care ought to be taken that it should not become inoperative. They must not lose sight of this, that if they doubled the employment of the people, there would be a duplication of their food. But, by means of emigration, they would be enabled to get rid of those who pressed upon the State for sustenance. Although he thought the measure highly desirable as affording the means of giving employment and food to the poor; yet he wished to know if it was to be accompanied with any measures to relieve the landed interest, and prevent the poor rates pressing with undue severity upon that interest?

Mr. POULETT SCROPE agreed in the sentiments of the noble Lord opposite (Lord Jocelyn), that England and Ireland must remain united. The two countries were in the same boat, and they must sink or swim together. It was impossible for England to avoid participating in everything affecting Ireland; and it was equally certain that Ireland must share in whatever affected England. The way to prevent England suffering from the terrible condition of Ireland, was to assimilate the institutions of the two countries to the greatest possible extent, by securing to the people of Ireland that upon which their welfare depended, namely, the means of existence. This being the principle of the measure, he was much gratified at its introduction; but before it passed its third stage, he must express his deep regret at the Amendments which had been introduced, in contradistinction to the noble Lord the Member for Lynn, who approved of them. For his part, he thought that very large concessions of a most dangerous character had been made in the Bill for the interests of the landlords. He referred, first, to the alteration in the second clause, whereby it was required that relief should not be given to the able-bodied out of doors until the workhouse was full; also to the enlarged number of *ex-officio* guardians—a concession which would be seriously felt in Ireland. Another concession was of a larger character, from which he anticipated serious mischief. He alluded to the clause limiting the amount of land to be held by persons taking relief, which clause, he again prophesied, would entail a strong necessity for its repeal. An exclusive power to carry the Bill into operation had been given to the landlords by the *ex-officio* guardians' clause; and, as if that had not been sufficient, the House had been asked to agree to a clause for the purpose of causing the tenant to pay all the rates, and thus bear all the burden. Such a proposition was one which deserved to be rejected in that House, and to which, for his part, he (Mr. Scrope) was decidedly opposed. He was quite sure that a proposition to place an unknown quantity of rates upon the tenants of Ireland ought not to be tolerated. The excuse which was given for the proposal to place that burden on the tenants was, that it was similarly borne by the tenantry of England; but it ought to be recollected that the system in England had been allowed to adjust itself during two or three centuries, and that although the tenantry nominally pay the rates, they in reality come out of the pockets of the landlords of England. What would be the result in Ireland if a small farmer complained of the rates, and asked his landlord to take his fair proportion of them? The answer would be, "If you don't like your farm, you may leave it," and thus the small tenant would have no redress. Various arguments had been used in a pamphlet published by the Archbishop of Dublin against this measure; but they were not sufficient in his mind to cause any real objection to the Bill. It had been said that it was impossible for Ireland to support her own poor; but that was no argument against the attempt to support them. It had also been said in that pamphlet that this would amount to a confiscation of the property of Ireland; but that was, in his opinion, begging the question altogether; for the argument of those who were in favour of poor rates for Ireland was, that it would increase and develop the resources of Ireland, and thereby increase her means of supporting the poor. He must confess that he was not afraid of the rental of Ireland being insufficient for the support of the poor; for the rental was admitted to be 17,000,000*l.*, and that was rather a large sum, which he could not believe would be so very easily exhausted as those who were opposed to the extended poor law appeared to think. It had, indeed, been said that the mortgages and other claims on property in Ireland ought to be deducted from the rental; but, he would ask, was it proposed to make a similar deduction from the responsibilities of property in England? Certainly not; and he did therefore see how that argument could be used as a proof that the burden of supporting the poor was more than the property of Ireland could justly bear. His opinion was altogether opposed to such a view; for he believed that, on the contrary, a sound poor law would greatly increase the rental of Ireland, by facilitating the improvement of the land; in addition to which they ought to take into calculation the very great saving which would arise from applying the sum now applied in the support of mendicancy to the rates. That sum would, under a sound and proper system of poor laws, be all given for the employment of the people, instead of being applied to the support of the idle, the dissolute, and the disorderly. This measure would, in fact, tend forcibly to improve the rental of Ireland, instead of injuring it. The third argument used in the pamphlet of the Archbishop of Dublin was, that it would demoralise the peasantry; and the argument against out-door relief in that case was such, that if it had not had the name of the Archbishop to sanction it, he could have scarcely thought it was used by a person imbued with Christianity at all: it showed such a distrust in the character of the people of Ireland—such a distrust as he never before had heard of. The writer of the pamphlet stated that it was impossible to carry on the system of out-door relief in Ireland, as the peasantry would not work if they got out-door relief; and in case an overseer attempted to make them work, he would be in danger of being shot through the head. The writer said that the Irish peasant would not labour for his living if he had the least chance of obtaining subsistence from public funds; and the writer instanced the case of some fishermen in the county of Cork who had no means of provisioning their boats to go to sea. The writer had money in his hands to be applied to charitable purposes; and he was informed by a clergyman who lived in the neighbourhood of those fishermen, that if they were enabled by contributions from this fund to go to sea, they would consume the provisions in some creek or inlet, and would not go to fish. But did the writer of the pamphlet try the experiment? No! he put the money in his pocket, or applied it to some other purpose; as if the Irish people were of such a character that they could not be trusted with a single loaf of bread. He had heard of a humane Quaker, who acted very differently, on the west coast of Ireland. He did not distrust the fishermen of Galway; he provisioned their boats and enabled them to go to sea, which they immediately did, and caught 800*l.* worth of fish. He would say to the Archbishop that he ought to follow the example of the Quaker, and, instead of distrusting, he ought to place faith in the good qualities of Irishmen. He denied that Irishmen were deficient in good qualities. It was true they might now be accused of idleness and improvidence; but if they were at present idle and improvident, then the argument of the Archbishop would be of no use as regarded the demoralisation of the peasantry; for the system of out-door relief could not make them worse if they were as bad as he described them to be. Why were they improvident or idle? Because they had been ground down and oppressed by the system which prevailed in that country; but if they were treated properly it would be soon seen that they were not deficient in those qualities which were required for successful industry. Every one knew when Irishmen came to England how well they worked; and they had all seen the statements in the papers describing the great sums which had been sent within the last year from America by Irish labourers to their friends and relatives in Ireland—sums which must have been obtained by perseverance and industry. The Irish labourers worked well in this country, where they were well paid; but in Ireland they were paid but 4*d.* or 6*d.* per day; and that being paid not in money but in land, by a sort of truck system, they had no encouragement for industry and providence. Yet such was the race of men of whom it was said they were so deficient in moral qualities and in providence that they were not fit to be trusted with a loaf of bread. The plan of out-door relief had been called a rash plan, and one which had been brought forward with all the recklessness of a gambler; but he would remind the House that a proper poor law for Ireland was a subject which had for a long time been before the public, and had been demanded twenty years ago. Even further back, the Bishop of Cloyne proposed such a plan for the relief of Ireland about a century ago. It was not, perhaps, generally known, although it was worthy to be known, that a poor law for Ireland was passed so long ago as the year 1640, which was almost *verbatim* a copy of the 43rd of Elizabeth; and that Act, which passed with the assent of the King, Lords, and Commons, was only prevented from being promulgated and brought into operation by the breaking out of the great Irish rebellion. He was of opinion that this poor law had been postponed too long; an opinion which was borne out by the fact, that Dr. Doyle, nearly twenty years ago, called upon them to direct their attention to the subject of providing a poor law for Ireland; and stated that if they did not, pauperism would at length, like an earthquake, execute upon their heads the vengeance of heaven. Surely that prophecy had been all but fulfilled; and if, notwithstanding the failure of the potato crop, we had escaped some of the consequences of our past neglect, it was more through the benevolence of Providence than from any attempt made on our part to put an end to that state of things of which we were now witnessing the lamentable result.

Sir W. VERNER called upon the House to pay every attention to the views of the right rev. Prelate, the Archbishop of Dublin, contained in the pamphlet alluded to, as no one was better capable of describing the state of Ireland. He would tell the House, that if they passed this measure, it would be the first decided step towards a repeal of the Union. The landowners would then desire it. He warned the House against being led away by those who were actuated by interested motives. It was most unfair that the House should join in the cry against the landlords of Ireland, who were the only true friends of the Union. They might depend upon it, if they got rid of the landlords, of the Protestant freemen of Ireland, they would destroy the greatest barrier in the way of the separation of the two countries. The present measure was, he feared, calculated to make men repealers who had never before thought of joining that body. In conclusion, he wished to draw the attention of the Government to the jobbery that prevailed, in consequence of the perfect understanding that existed between the sellers of meal in many parts of Ireland. The result of that understanding was, that they could make the price of meal anything they pleased; and it was found that, in proportion as our grain fell, Indian meal increased in price. He mentioned this with the view of suggesting to the Government the propriety of establishing magazines, which, when the price of meal rose inordinately high, should issue at the proper market value.

Sir T. E. COLEBROOKE feared that, before six months were over, it would be necessary to pass an Act correcting the operation of the present Bill. He felt considerable doubts as to the success of the second clause, believing, as he did, that the requisite machinery for carrying it out did not exist in Ireland. He had seen a statement, that in some poor-law union in the county of Donegal two members of the board of guardians became objects of charity, and that the chairman was not in a much better situation. In Ireland there was no middle class to carry out this Bill. In those parts of the country in which there was most need of the poor law, it would be often impossible to find any one to carry it out. It was a popular argument that it was necessary to make the Irish landlords use greater exertions to give employment to the people, and to make them more independent. No doubt, where landlords were resident, the bulk of them would come forward and make those exertions. But in those parts of the country where there were no resident gentry, the Bill would be one of almost impossible execution. He feared, too, that it would increase the clearances that were now going on; and, looking at the pressure of the second clause upon the proprietors, it would only increase the evils under which the country was labouring.

Mr. ADDERLEY said, that the saving clause of the present Bill was the proposal of the hon. Member for Dublin (Mr. Gregory), respecting the emigration of small tenants of land, the effect of which would be to enable landowners to amalgamate their smaller holdings. He did not see how the rates proposed to be levied under this Bill could be raised. At present the poor rates in Ireland in arrear bore a large proportion to the whole amount levied, and the whole system of rating began to be considered as a farce—as much a delusion as the promise of the return of the loans made to Ireland. It was not a small encouragement to emigration that would suffice, for that would not give the facilities that were required for the clearance of estates. Unless a large scheme of emigration were adopted, out-door relief would become impossible, as the attempt to levy rates already in arrear would turn out a failure. The present measure was considered by many Members of that House in the light of a retaliation upon the Irish landlords, and it appeared that such was the case; but he thought the House should be cautious not to legislate in any such spirit.

MR. VILLIERS could not suffer this Bill to pass without expressing his cordial approbation of its purpose, and stating his belief that no measure had ever gone forth from that House more entirely in accordance with the opinion and feeling of the public at large; he firmly believed that the opinion in its favour was the result of deliberate conviction, and not the least from what was imputed to it by the hon. Member who spoke last, namely, from a retaliatory or vindictive feeling towards the proprietors of Ireland. It was, he believed, the general feeling out of doors, that it was a measure of humanity towards the Irish—a measure of justice towards the English—and a statesmanlike policy as regarded the empire at large. Experiment it was called, and so it doubtless was; but one he considered most fully called for by the circumstances of the country where it was to be applied; it was, in his judgment, directed immediately to the two great sources of evil in that country, namely, the fear of starvation on the part of the people, and the abuse of property on the part of the proprietors. Let any one examine closely the real evils that retarded the progress and produced the misfortunes of that country, and they would trace them to these sources. Crime and mendicity now deprived person and property in Ireland of the safety essential to the well-being of any country, and these sprung naturally and necessarily from the apprehension and fear pervading the greater part of the population, that they might perish from want. The circumstances and condition of the poor in Ireland were now familiar to the House. It was known that, actuated by this fear, they sought allotments of land as a means of existence; and they covenanted for rent with a proprietor or his tenant, at a rate far exceeding its value. Deprived by accident or necessity of the means of fulfilling their engagements, they were frequently ejected by those under whom they held, and always lived in terror of this exercise of proprietary right. If they were rendered destitute, there was no liability attaching anywhere for their support. There was no responsibility attaching to the owner for this abuse of his property; for it was abuse to avail himself of the ignorance and eagerness to escape starvation of a wretched peasant, to accept his promise of exorbitant rent, and then summarily cast him from his holding, because he failed in what it was never in his power to perform. To avert this misfortune, a system of terror was organized by the peasantry; and if an ejectment took place, a hideous crime was committed upon the unfortunate successor of the ejected and destitute man; and thus ejectment, which in the minds of millions meant starvation, was often prevented. The man who committed the crime had the active sympathy of all who lived in dread of destitution. He was sheltered if pursued; and the violation of the law, and not its observance, was regarded as the protection of the poor. The feeling generated by that system was fatal to the protection which capital required; the country became notorious for being lawless and turbulent, and the English projector or capitalist, come from what quarter he might, fled from Ireland as a place which he had had notice to avoid. But mark the result—observe the condition of a country in that state. The people were reckless and criminal—still the population increased, but the means of their maintenance and employment remained stationary or diminished. He cared not how that result was produced; but let any country be in the condition of its people increasing, without an increase of its saving or capital to give fresh employment to them, and that country would be poor, discontented, and lawless, and thus aggravate the primary causes of evil. That, then, was the condition of Ireland. A number equal, according to reports which were credible, to one-third of the population, lived in constant dread of starvation. This made them turbulent and criminal, which precluded the introduction of those means by which they could be employed; and thus the evil was constantly augmenting. What was the object of the law now proposed? It was to declare to the poor that they should not suffer the last extremity of want; that they should have no longer a pretext for crime; and that those who sympathized with crime should have no longer an excuse; for that in Ireland in future, as in England, where it had been long the case, and as in every civilized country it ought always to be, it was declared that no man should starve: and it was his firm belief, inasmuch as he believed that people were not wantonly criminal, or that any community could feel itself benefited by the commission of crime, that, when the necessity no longer existed for breaking the law, so would they in Ireland be true to human nature, and to all experience, and see the blessing and advantage of respecting the law. This would not follow at first and at once; but the root of the evil was struck at when every man felt that he had so far an interest in the community of which he was a member, that while it lasted he could not perish from absolute want. It was with the view to afford security that the last Government proposed the Coercion Bill. The object was good, but the means were bad, because it did not strike at the real source of the evil, namely, the extreme destitution of the people. The House rejected it, by which it became bound to provide some other; and this was one really reaching the evil, and benevolent and humane in its character. He had not overlooked the perils of such a measure; he well knew all that could be said against public charity, and all the mischiefs that belonged to improvidence; but with regard to Ireland, he was not afraid to contemplate them all, when he had to compare or consider them with those that existed at present. With all deference to those who had spoken and written against this measure, he could not treat with much respect the woful predictions which they had hazarded of its results. They had pointed chiefly to a provision made by the Second Clause of this Act, by which the purpose of the law was carried into full effect, by declaring that when those who were destitute and applied for relief could not be maintained within the building existing for the purpose, that, still holding in view the promise of the law, some other mode should be devised to relieve them, and relief in kind should be given to them out of the building, so that they should not be allowed to starve. That was what was termed "out-door relief," and had been dwelt upon with so much alarm as the means of such terrible results. And what were the results expected? Why, that the people would by this means be demoralised, and lose their independence of spirit. Why, was it possible that those authorities believed that these unfortunate people had much independence of spirit, when they, according to the evidence and reports of these alarmists themselves, lived partly by crime, partly by begging, and partly by what was extorted from fear, and violation of law. These opponents of the law were afraid of out-door relief! But what did they term the relief that they said nearly one-third of the population received habitually by begging and crime? What did the beggar and his curse obtain when he solicited alms of his neighbour, but out-door relief in its most demoralising form? He got it, subject to no condition, to no inquiry, and with a consciousness in himself that it had been extorted from fear—with a conviction on his mind, in consequence, that he need take to no regular pursuit—that he need turn to no honest calling—but that while he could get a bare living by presenting himself as a destitute man to one who had something, and who believed that the beggar might die of want, he might live idly. That was out-door relief in a luxurious shape. The mendicant appealed in the name of humanity to an industrious man to share his crust with him, and lived a life of idleness, knowing that he had never deserved the subsistence extorted. But that was the man that these writers, to whom they were to defer, said was to become demoralised if deprived of his excuse of extorting out-door relief from a man just above him in means; and he was to lose his independence if subject to a rigid scrutiny from a legal administrator of public relief, by which it might be rendered painful to him to remain idle, and by which imposture, when attempted, might be detected. At present there was a wholesale system of out-door relief procured by practising on the fears or ignorance of unsuspecting or helpless persons. The plan of this measure was to legalize it—to subject relief to some test of its necessity—to remove the pretext for crime and mendicancy—to distribute the charge equally among those who gave, and diminish its mischief among those who received; and yet they were told that this was demoralising, dangerous, and alarming for the future character of the people. Again, were they to be told that a system that enabled a man to retain land without paying for its use, was safe and elevating; while that which required him to abandon the land for which he could not pay, and receive the relief which in his misfortune the law had provided, was ruining the independence of his character? Surely then there was this consolation in the measure before the House—that if it yielded not all the fruit expected of it, at least, fail it ever so much, the country and the people could not point to a state which was better, or from which they had fallen. But, when all these calamities were spoken of as certain to follow from this measure, he would ask whose fault it would be? Why, where was it that this measure was introduced? was it in a barren country—in a country of no resources, where no labour was to be had—where no market was near? Was that the account which the patriots of that land, or those who could be trusted for its description, had given of its state? Why, nobody disputed that it had the most fertile soil in Europe—that it abounded in resources—that it wanted nothing but labour to develop them—that it was "the first flower of the earth, the first gem of the sea." That they had been told, while it was a fact that Ireland had the productions that England wanted, and thus had in its immediate neighbourhood the finest market in the habitable globe, with free and complete access to it. With all these advantages, then, when they said, you must not allow the people to starve, were they to be told that this was to ruin the country? There was everything which was required to make the country rich, happy, and contented; there was not a man too many in the land, if they would work, or if those who had the means would employ them. Was that House, then, to be blamed if that country should lie waste? Was that House bound to find industry, honesty, and ordinary intelligence for the people who wanted those qualities? Nothing more was required to make that country peaceful and rich; and on the Irish themselves, then, he said, and on those it concerned, be the blame, if with such blessings as God had conferred upon them—with equal rights, advantages, and privileges with the people of England—they suffered their land to lie waste, and their people to live idle. They had the means to be wealthy and prosperous; they were subject to no restrictions as formerly; the law was equal, and they were in all respects as free as in this country: let them, then, look to it themselves. He, however, was far from wishing to disparage the Irish people; he had never seen reason to believe that they would fall into the state which the opponents of this measure predicted. He did not believe in the ferocity or idleness of the common people, which had been asserted, or in the drivelling helplessness of the proprietors, which must equally be presumed, if what was anticipated by some should come true. He had no reason to think ill of the Irish if they were under circumstances favourable to their industry; and he thought there had already been signs that the proprietors could appreciate the necessity of averting the consequences of the new liability imposed upon them. He had read with pleasure the resolutions passed by the grand jury of Wexford, when they, like men of sense, observing the intention of the Legislature, and anticipating the consequences if they neglected its effect, urged the owners and occupiers of land to set their own shoulders to the wheel; to do all in their power to improve their estates; and thereby, in employing the people, escape degradation and ruin. Here then was the first fruit of imposing this liability upon the landowners; they were, because they could, urged to improve their properties, and thus benefit themselves by employing the people. Now, if this was good for Wexford, why should it not be good for Mayo? And why should they not expect the example to be followed throughout the country? What was it but showing the wisdom of a law which, instead of stultifying and corrupting everbody, as these wise men predicted, was presenting a picture of ruin and degradation, if they did not do what was best for themselves, and most beneficial to the poor. This was in fact doing by the rich what had been done by the poor in this country, namely, throwing them upon their resources; and that, in their case, as in all others, would do them a real service; and he was much mistaken, and he should be much disappointed, if from the effect this law would have in compelling men to look after their properties, and to use them in a manner most beneficial to themselves and their neighbours, and in checking those disorders which terrified the real benefactors of a people, the capitalists, in bringing their means of employment among them, if the improvement, nay, he would say the regeneration of that island, did not take date from the introduction of this measure. The fact was, that this measure ought long since to have been passed: it was from the want of adequate machinery when the late heavy visitation came upon the country, that such shocking events had occurred, and the dreadful mortality from want had happened—and also that there had been such a fearful waste of the resources of this country in Ireland: people were taken by surprise and were helpless. He, moreover, did firmly believe that if there were any measures that could be of advantage to that country, such as compulsory emigration, or systematic colonization, or whatever it was called, or reclamation of waste lands, that none could be fairly tested or adopted, with the slightest chance of permanent advantage, unless first a strong motive like this was presented to the rich to care for and watch over the poor, and to the poor themselves of deriving the full advantage which security and respect for law would bring to them. He firmly believed that the present demoralised condition of the Irish resulted from extreme poverty and fear of destitution; and this a poor law would remedy; and though a poor law in itself could not increase the property of a country, yet it was calculated, by the protection which indirectly it would offer to property, to be the occasion of more wealth being introduced, and more being accumulated, and thereby of more means being offered of providing for the people; and as such he fearlessly and with hope supported it. He rested its support further, as a measure of consolation and justice to the people of this country, who were doubly taxed, first by the great additional expenditure in feeding and employing the people in Ireland, and, secondly, by additional local rates levied for supporting them here —but who patiently and humanely bore the double charge this year, from believing and hoping that it was the last time that the property of Ireland would be exempted from the charge of the poor, at the expense of the prudence and industry of this country.

Mr. M. J. O'CONNELL observed, that as the hon. Member for Staffordshire (Mr. Adderley) had alluded to a systematic scheme of emigration as a means of improving the condition of Ireland, he might take this opportunity of expressing his full concurrence in the plan of emigration which had recently been put forth by Mr. Goadley; for he was convinced that, without a system of emigration, or some substitute in the way of industrial employment, it was vain to expect that this measure could work fairly in Ireland. He might say, with reference to the clause introduced into the Bill by the hon. Member for Dublin, that though he was not quite certain that the right amount had been struck in that clause, he was satisfied that unless some restriction was adopted to prevent the class of small farmers from becoming recipients of relief, the consequences of this measure would be most disastrous to the landlords—to those tenants who were anxious to make a profit of their farms and pay their rent—and to the industrious labouring classes. He considered that this measure had escaped great danger by the rejection of the clause which was proposed on the last occasion when the Bill was in Committee by the noble Lord the Member for Lynn. There was some expression of astonishment when he (Mr. O'Connell) and other hon. Gentlemen on that side of the House complained that they were taken by surprise by that Amendment. They really did not know, till the clause was on the Notice Paper, that the noble Lord had intended to press it; to make a reference to the noble Lord's pursuits, they did not know whether he meant to enter the clause in earnest, or, in other words, to "run to win." It was, he might observe, a remarkable fact, that the division in favour of that clause was an old party division. The great curse of Ireland was the want of commercial enterprize among both the proprietary and the tenantry. Instead of regarding the agreement between them as one for their mutual benefit, they were too prone to look upon it as a stake between two antagonists—to be won by one and lost by the other. He was anxious to see the experiment of this poor law carried out with success; but he believed that the addition of such a clause as that proposed by the noble Member for Lynn would be not only injurious to the tenantry, but also to the landlords of Ireland.

Sir J. WALSH was surprised at the assertion of the hon. Gentleman opposite (Mr. M. J. O'Connell), that the Irish Members, and the House generally, had not had full notice of the Motion of his noble Friend. His noble Friend could not have done more than he had done; and if the Irish Members did not attend to it, that surely was not the fault of his noble Friend. The

Motion was a most important one, and was of itself quite sufficient to command the attention of any hon. Member who took an interest in the welfare of Ireland. His own opinion in favour of that clause remained unchanged; and his view was in accordance with that of the Archbishop of Dublin, and some of the greatest writers upon political economy. He must complain of the indifference of hon Members. He thought that the present thin state of the House; the absence of those more immediately interested in the question; the sort of apathy with which a measure of such transcendent importance was now about to pass through the House—were curiously illustrative of the state of parties. Certainly there could not be a subject of greater importance in itself, or one with respect to which a greater diversity of opinion existed as to the principles on which the Bill was founded. The object of the Bill in its leading provisions was to introduce the English Poor Law into Ireland. He could not say that there was no difference; but this he would say, that all the deviations were unfavourable to the Irish proprietors; but still the main provisions were borrowed from the English Poor Law. Now, were they in a situation to go to the Irish proprietors and say to them, "We submit to your adoption a law which has been tested by our own experience—which unites in its support the suffrages of all parties in this country—which is no longer the subject of controversy, but which has taken its place among the settled institutions of the country?" Why, so far from this being the case, many of those who were the warm supporters of this Irish Poor Law, were at the same time the declared opponents—the bitter and irreconcilable enemies—of the English Poor Law; and it was understood that their persevering hostility had forced upon the noble Lord opposite the necessity of considering, with a view to modify, the whole system. [Lord J. Russell: Not so.] Well, as he was himself a supporter of the English Poor Law, he was glad to hear that the noble Lord did not intend to abandon it. But the noble Lord had himself intimated that he meant to modify the administration, and there could be no doubt that the hostility of its opponents threatened its permanency. Then, further, he thought, that, at the present moment, under the pressure of such a calamity, it was dangerous to introduce such formidable changes as were here contemplated; for he entirely concurred in the observations of the noble Lord the Member for Lynn, that it was impossible this law should receive a calm and dispassionate discussion, or that it could have a fair trial and experiment in Ireland under circumstances so perfectly unexampled, particularly when it was considered that advantage had been taken of the present calamities to get up a clamour against the Irish landlords, which had been fomented by the public newspapers; and every unfounded story was laid hold of to expose them to public odium. It had often been said, that there were duties connected with property, as well as rights; but he could not help believing that the rights of property were weaker in Ireland than in any other part of the three kingdoms—that the duties were more onerous—and that the object of the present Bill was to inflict still heavier burdens on it. A large proportion of the Irish had been satisfied with existing on the mere necessary of life supplied by the potato, and the population had gone on increasing. The potato failed, and the population was consequently thrown immediately into distress. How were the landlords of Ireland to blame for this? For the last fifty years, or at least for the last twenty-five years, the only aim of the landlords of Ireland had been to prevent the subdivision of their estates and the too rapid multiplication of the population on them; and this rapid increase of the population had taken place, not by any connivance on their part, but in spite of their efforts to prevent it. But he heard another argument in that House, that if we introduced this poor law into Ireland, and made it the interest of the landlords to employ the labourer, they would do so. Now, it was the greatest mistake in the world to suppose that the landlords, *quà* landlords, could employ permanently any very large amount of the labour in any country. The labour was carried on by the tenantry and the occupiers, not by those who were in receipt of the rents. It was fair, therefore, he might remark, that the principal burden of the rates should be thrown immediately upon the tenants; because they were the parties who could supply the labour, and prevent the able-bodied man from becoming destitute whilst there were the fair means of employment. He considered the present measure to be fraught with the utmost danger to Ireland. The extension of the principle of out-door relief, if it should have the effect of creating a kind of confiscation of rents—which some hon. Gentlemen seemed to talk of as if it were something inevitable, and almost salutary and desirable—would not only be a great cruelty and hardship upon the landed proprietors, but would inflict an incurable wound upon the future prosperity of Ireland; the existing race of landlords would only be succeeded by another suffering the same disadvantages. The principal consolation he felt was in the belief that there was something in human affairs which often, and beyond expectation, prevented much of the mischief to which, upon the face of it, a bad law would seem likely to lead.

MR. SHARMAN CRAWFORD was astonished to hear from the hon. Baronet the Member for Armagh (Sir W. Verner), that this Bill was calculated to induce the landlords to join in the demand for the repeal of the Union, when the measure was founded on the necessity of preventing the people from starving at such a time as the present. That was an opinion which he did think was not very creditable to the hon. Gentleman. It was a total misrepresentation of the measure to say that it was a Bill for giving out-door relief to the able-bodied poor. It was no such thing. It merely allowed the granting of out-door relief in two cases: when the workhouse was full, and when the prevalence of disease within its walls rendered it unfit for the reception of the poor. The principle of the Bill was opposed to out-door relief to the able-bodied poor; and the two cases to which he had referred were exceptions. Let any one look into the reports of the Commissions on the law of landlord and tenant in Ireland, and he would find that the landlords themselves originally promoted the subdivision of land, with the view of getting increased rents—they let to middlemen, and these middlemen underlet to others. Again, when the elective franchise was conferred upon the 40*s.* freeholders, the landlords, to obtain political power, very much encouraged these subdivisions. Extravagant rents were charged and kept up until the means of the tenants were little by little brought to the lowest state, and at last it came to this, that the only thing left to them was the potato—now not even that—and he insisted upon it that the evils existing in Ireland had resulted from the system adopted by the landlords towards the tenants there; and he insisted that the landlords of the present day must necessarily be responsible for the acts of their predecessors. It was most degrading to see the landlords of Ireland attempting to shake off that responsibility from themselves, and declaring that they would not provide the necessary means to prevent the people from starving. He contended that it was right and proper that the House should put an end to this state of things, and throw the responsibility upon the landed proprietary. He did not wish to place upon others a burden which he was not ready to take upon himself. He happened to be an Irish landlord, and all the estate he possessed was in Ireland. But he had no fear with regard to the consequences of this measure. On the contrary he believed that the value of property in that country would be raised if they gave protection to its labour. He had just returned from Ireland, and he understood that objections were entertained to two of the clauses in the Bill. One of these clauses increased the number of *ex-officio* guardians, and it was supposed that the result of that measure would be to throw the administration of the law into the hands of those guardians; thus producing distrust and want of confidence on the part of the elected guardians, who would feel that they had not a reasonable share of power, and might be disposed to combat everything that was proposed by their *ex-officio* colleagues. On this ground, then, he felt it to be his duty to enter a protest against that clause of the Bill. He also objected to the strict limitation of out-door relief. By another of the clauses it was provided that no person who held a quarter of an acre or upwards of land could obtain relief, however great the emergency, without first selling his interest in the occupation. What would be the consequence if they forced the sale of a holding in that way? Why, that they at once made the poor man and his family paupers for life. For his part, he thought the workhouse test was quite sufficient. He rejoiced, however, at the prospect of the immediate passing of the Bill through the House, and he should give it his most cordial support.

SIR G. GREY: Sir, as this is the last opportunity I shall have of addressing the House upon the subject of this Bill, I am unwilling to let the occasion pass without saying a few words in reference to the matter which is now under consideration. The hon. Baronet (Sir J. Walsh) has alluded to the state of the House, and the absence of many hon. Members this evening, in a manner which I must say I think the circumstances do not warrant. I believe, that so far from the appearance of the House arising from the state of parties, in the sense which I understood him to imply, it only shows that this is not considered by any hon. Members a party question, but it is looked at solely with regard to its own merits, and its bearing upon the interests and welfare of Ireland, which, however we may differ upon other questions, I believe every hon. Gentleman is sincerely anxious to promote. I believe that the circumstance of our having listened to no long speeches on this occasion, and of there not being a full attendance to-night, is very much owing to the fact that it is admitted that a measure founded upon the principles of this Bill must be passed, as well as owing partly to the very ample discussion which this measure received, both in its principle and details, upon former evenings. Those discussions took place in very full Houses; and I am willing to bear my cheerful testimony to the temper and moderation with which hon. Members, who, from their apprehension of the results of some portions of this Bill felt it their duty to oppose it, conducted that opposition. The general favour with which this Bill has been received, and the manner in which the opposition has been conducted, relieve me from the necessity of entering into any lengthened defence of the principles upon which this measure is founded; and if I had felt myself called upon by what has been said this evening by some hon. Members to enter upon the question of out-door relief, I really should have felt myself in a situation to do little more than retrace the ground already occupied by my hon. Friend the Member for Wolverhampton (Mr. Villiers), who in his very able speech to-night stated sentiments upon that subject in which I most cordially concur. The noble Lord the Member for Lynn (Lord Jocelyn) and the right hon. Gentleman the Member for Tyrone (Mr. Corry), not objecting to the principle of the Bill, have expressed some apprehension as to its results — apprehension from which I confess I am not myself entirely free; for, in proposing this measure to the House, I do not pretend to express any very confident anticipation of what the results may be; but I look forward to them with hope—a hope partly founded upon and justified by circumstances to which I shall presently allude. Sir, while I fully sympathize with those who, having great practical experience of Ireland, and knowing the difficulties which must attach to all attempts at great social improvements in that country, look with apprehension to the practical workings of this Bill, I confess I have not been able to go along with them, when, not opposing the principle of the measure, they have expressed a strong opinion that this is not the time for such a step to be taken. My own opinion is, that this is precisely the time when a measure of this kind may be most safely and most effectively passed; and upon that question I wish to say a few words. If the circumstances of Ireland now were merely accidental—if the causes of the present distress were temporary and ephemeral—if those causes had not a deep seat in the social condition of that country—then, indeed, we might hope that the circumstances would pass away in a few short months, and it might be wrong to propose a permanent measure of this nature. But I believe that the present condition of Ireland is not occasioned by the failure of the potato crop in the two last seasons. I believe that has only revealed the permanent condition of that country, and forced upon Parliament, and the country, and upon the public mind, the conviction of what that condition permanently is, and of the necessity of some permanent improvement of the poor law for that country, in order to provide some effectual system of relief for the poor. Under these circumstances, I think, that, at the present time, when that conviction is forced upon us, and with a view to guard against the recurrence of the extreme calamities which have recently afflicted Ireland, we are bound, not merely to provide for the temporary emergency, as we have attempted to do in the Temporary Relief Bill, but to take measures for the permanent improvement of the people, and to provide against the periodical recurrence of those seasons of distress which sweep away hundreds and thousands by famine and disease. And when hon. Gentlemen talk of out-door relief, and say that it will be ruinous to the people of Ireland to look forward to out-door relief, and to have expectations held out of its being indefinitely extended, they must remember the circumstances in which Ireland now stands with reference to this country. A few short hours and the expense of a few shillings bring over the Irishman to this country, where he is not debarred from the expectation of out-door relief. He knows that while out-door relief has been denied him hitherto at home, he has a right to it the moment he arrives in England. Representations have reached me from Liverpool, and from South Wales, and other parts of the country, deprecating, in the strongest terms, the hardships to which the inhabitants are subjected by the continual arrival of a number of destitute Irish, owing to no adequate provision being made for them in their own country. I find that, at Liverpool, about 90,000 Irish arrived from Ireland within the last few months, of whom a very large proportion, certainly—about 30,000—have emigrated to America; but the other 60,000 remain in Liverpool, or are spread over Lancashire and the adjoining districts. From South Wales the same complaints are made. Under these circumstances, I think it would be impossible to refuse to make a far more adequate provision than has hitherto been made for the relief of the destitute poor in Ireland. But some hon. Gentlemen ask, "How will out-door relief enable you to provide increased employment?" I admit that it does not in itself; but I look to the stimulus which this Bill will supply to the proprietors and occupiers of the land to find increased employment for the people. Sir, that is not founded upon vain speculation; I find that the knowledge that this Bill is passing through Parliament with so decided an assent to its principle, is operating in this way now, and inducing proprietors and occupiers to find increased employment for the people. I believe that the apprehensions expressed in many quarters will be more than realized if proprietors and occupiers are to cease to exert themselves, and sit down in apathy and indifference and watch the course of events; and if, on the other hand, the working population are to look to out-door relief as the means by which they are to be supported without work. But I do trust there is a spirit among all classes of the people which will avert so dire a calamity; and if that spirit does not exist, I believe that no legislation, or absence of legislation, will avert it. The hon. Member for Wolverhampton alluded to an address which has recently issued from Wexford; and I will call the attention of the House to some parts of it, because it embodies in forcible language the principles which I think are those on which the salvation of Ireland, or of any country, must mainly depend; and which I trust are the principles upon which Irishmen are prepared to act. It is an address to the landowners and land occupiers of the county of Wexford, issued by a "Land-Lord and Tenant Association" in that county; which is stated to have been for some short time carrying on operations there. The Earl of Courtown is president of the body, and it is stated that it has the support of all the proprietors and many of the cultivators of the soil. The address, which emanated from a meeting held on the 1st inst., begins—

> "We, a committee appointed by the late grand jury, in consequence of the unhappy state of this country, address you solemnly and earnestly upon the necessity for exertion at the present crisis."

After adverting to the system of relief now going on, and the projected permanent system, the address proceeds, referring to the letter—

> "Under that system, the surplus population of this country will, if unemployed, be fed in idleness. The consequences will be—first, a heavy tax, from the expenditure of which no profitable return will arise; secondly, the demoralisation and degradation of the lower ranks of society, whose habits of dependence thus acquired, will render taxation under the New Poor Law a burden too heavy for the country to bear."

But they do not sit down in despair, merely prophesying evil; they propose to exert themselves to avert it. They state—

> "Two remedies present themselves—industrial profitable employment for the surplus labouring population, and emigration. The latter is a slow mode of relief; not to be neglected, but too slow to have the requisite effect. The former is that alone of which we can at the moment avail ourselves to the extent required. To provide this remedy general exertion will be necessary."

And then, after adverting to the formation of committees with a view to consult, they say—

> "These committees will search out means of employment of a general nature, such as enlarged fisheries, reclamations of uncultivated tracts, &c. More limited means of employment, suited to different localities, will be ascertained more readily by those connected with the localities; but a passing notice may well be bestowed on the vast field for profitable labour in the undrained land, and the unnecessary banks and ditches which deface and render so much of our country useless. The evil of out-door relief, when grappled with systematically, will not be found unmanageable. On the 20th of February, when more than 20,000 persons were employed on public relief works in this county, the proportion was one person was so employed to twenty-five arable acres in the county. We again solemnly and earnestly adjure you, the owners and occupiers of land, to unite while there is still time to prevent the degradation and final ruin that threaten this country. The result of your exertions will be the development of fertile resources and a provision for the future. A wise Providence blesses well-directed activity, while inaction ever produces ill consequences."

That is the spirit in which, I hope, all classes of Irishmen will act; and, if they do, then I am confident that the apprehensions excited with reference to this Bill will prove unfounded. If they do not so act, but sit down with apathy and listlessness, merely watching the course of events, I am persuaded those apprehensions will be more than realized. Their hope does not lie in extraneous aid, but in the exertions of all classes, in the development of their own resources, aided indeed by measures calculated to promote the introduction of capital and provide employment for the people; and the landed proprietors and occupiers, assisted by those measures, will, I hope, adopt a system which, while it will provide increased employment for the people, will enlarge the productive powers of the country, and tend to elevate the people, and promote their future prosperity. The noble Lord the Member for Lynn (Lord Jocelyn), adverted also to the absence of political feeling which has of late prevailed in Ireland; and it is indeed a gratifying circumstance to find all parties so entirely impressed with the conviction, that, regardless of those differences which in past times have unhappily divided Ireland, they might combine their efforts for the general good, and by such combination pursue a course which would tend to remove the influence of those differences. And I do most cordially join in the hope which has been expressed, without at all complaining of the length of time occupied in the Imperial Parliament by discussions on the subject of Ireland, that those discussions, and the measures which Parliament has passed with the view of improving her social condition, will be followed by the willing co-operation of all classes in that country, for the common benefit, in carrying out the intentions of the Legislature; that a brighter day will yet dawn upon Ireland; and that those calamities which have not unfrequently occurred in her history, but which have been of almost periodical occurrence, will hereafter be averted or greatly mitigated. In that hope I trust this Bill, passing, as it is understood to pass, with the general concurrence of the House, will secure for Ireland the benefits it is calculated to confer upon that country, if carried out in the spirit in which the hon. Member for Northamptonshire (Mr. A. S. O'Brien) on a former occasion stated that it is his intention to act, in giving effect to the objects which are contemplated in the measure.

Lord G. BENTINCK said: I understand that, during my absence from the House, the hon. and learned Member for Kerry (Mr. M. J. O'Connell) has made some remarks—certainly from the best possible motives—as to the circumstances under which I brought forward the clauses which I wish to have inserted in the Bill now before the House when it was in Committee. I understand that the hon. and learned Gentleman stated that I took the House and the country by surprise—that I had taken the country at all events by surprise, if not the House — with the Amendments which were so nearly successful. Now I think it right that this observation should not pass altogether unanswered. I gave the notice of those Amendments on the 11th of March. The House went into Committee for the first time on the 16th March, and it was not till twelve o'clock at night, on the 29th of the same month, that these clauses were discussed at all. So that there had been eighteen days' notice given of those clauses, and consequently they must have been printed in the Votes and Proceedings of the House not less than twelve times over, while they must have gone forth to the country in all the daily newspapers in the metropolis on not less than three separate occasions, each a week from the other. I think, therefore, I am justified in saying that there was no disguise on my part, and no attempt to take any advantage either of this House or of the country, when I proposed the Amendments to the Bill. Though the hon. and learned Gentlemen the Member for Kerry has said nothing in ill-humour—he never does—still he was wrong in stating that I meant by the clauses I proposed to impose a burden on the occupying tenants of Ireland. I beg to say that I was no party, and never meant to be a party, to the imposition of a burden on the occupying tenant, except with his own good will; for my clause was not to come into operation till 1849, and therefore the occupying tenant, who would have that burden placed upon him, would incur it with his eyes open, and after the experience of two years probably the most trying as far as rates are concerned. If any person, therefore, was likely to be injured, it would be the landlord, because the occupying tenant would be a fool indeed if he undertook an engagement after 1849 without duly considering the amount of rates he would have to pay, looking at what he had paid during the present year and in the year 1848.

And then if the rates, as I trust they will be, are materially reduced after 1849, the occupying tenant would have the entire benefit of that reduction. I therefore think there never was any more unjustifiable charge made than that my intention was to impose an unjust tax upon the occupier. My object was not to protect the landlords, for I am not connected with the landlords of Ireland by myself or by my friends. I was seeking to do justice to all parties; and I believe this, that the occupying tenant and the poor of Ireland, would have been the most benefited had the clauses which I proposed been made part of the Bill. I believe the effect would have been to have induced the occupying tenants to have improved their holdings; and I am convinced that the effect would have been to add much to their own wealth. I interfered with no vested right, as connected with the occupying tenant. I did, it is true, interfere with vested rights in one case. I did impose burdens in regard to the second clause; but I proposed that those burdens should be imposed upon the landlords. To the landlords I gave no quarter. To them I gave no opportunity of making a contract; but I did propose by the second clause that all the owners of holdings which did not exceed *5l.* of yearly rent, should pay the rates—not from 1849, and not after new leases had been gone into, but from the passing of the Act. I proposed that the owners of all holdings not exceeding *5l.* of yearly rent, and comprising a body of 76,029 persons, should bear the entire burdens themselves, and that the tenants should be altogether relieved. I say then, that there never was a greater calumny upon my friends or myself, than to say that we have been guilty of a felonious attempt to impose a new burden upon the occupying tenants of Ireland. And to say that there was a conspiracy in this matter between those Gentlemen who usually act with me, and those who were accustomed to act with the late Ministry, is altogether unjustifiable; for I can most conscientiously say that when I drew up the clause, I had no notion of receiving such support; and I can truly add that I never was more surprised in my life than when I found how nearly I had succeeded in carrying the clause which was put to the House. I trust I have said enough to prove to the House and to the people of Ireland that there never was anything more erroneous and more unjustifiable than the charge which has been made — that I have been seeking, or my friends on my behalf have been seeking, by any unfair concert, and by any unfair underhand method, or without giving good notice to the House and to the country of placing upon the occupying tenants any burden which it is not right and proper, and not for their interest, that they should bear.

Mr. LABOUCHERE said, that the noble Lord the Member for Lynn (Lord G. Bentinck) had entirely acquitted himself of any charge or reflection which had been made against him of taking the House by surprise in the matter of the clauses he had wished to introduce into the Bill. He did not hear the statement which had been made by the hon. and learned Member for Kerry; but he could not think that that learned Gentleman intended to cast any imputation upon the proceedings of the noble Lord. The noble Lord did all that he could do under the circumstances. He had given the most ample notice of his Amendment; but if the hon. and learned Member for Kerry, when he spoke about the people being taken by surprise, meant the people of Ireland, he could confidently state that he had said nothing more than the truth. He had been in Ireland lately, and had conversed with many persons well acquainted with the feeling throughout the country; and he could say that there did exist, on the part of the people, a very strong feeling of alarm and apprehension on the subject of the danger they had escaped. It was not his intention to discuss the merits of the clause proposed by the noble Lord, as it formed no part of the Bill; but this much he would say in reference to it—and he felt it right that he should make the statement—that from all he had heard in Ireland from those who were best informed on the subject, that it would be a most unfortunate thing if a clause of the description proposed by the noble Lord was made to form part of the Bill. It had been said by his right hon. Friend the Secretary of State for the Home Department, what he thought no man could disguise from himself, that however right the Bill might be in principle, and however carefully and cautiously drawn up in detail, yet still the working of it would be attended with no ordinary difficulty; and he felt convinced that if the clause in question had been engrafted upon the Bill, it would have added greatly to the obstacles and difficulties which the measure would have to contend with from the prejudice and odium that would have been excited against it among the tenant-farmers. He heartily rejoiced to see this important measure brought to a successful conclusion; and he hoped that the expectations entertained by the Government and Parliament, that it would lay the foundation of the permanent prosperity of Ireland, would be realized; but he agreed with his right hon. Friend the Secretary of State for the Home Department in thinking that the success of this and every other measure that could be devised depended upon the degree of co-operation which the measures met with from those classes upon whose assistance the Government had a right to rely.

Mr. GOULBURN said, he would not have forced any observations on the House on the present occasion, were it not that, admitting, as he did in the fullest manner, that the period was arrived at which it was impossible to avoid making some provision for the poor in Ireland, he was still not insensible to the difficulties which would attend the attempt. Those difficulties had in his mind been greatly aggravated by those temporary measures to which recourse had been had, and for which he did not wish to fix blame on any party; but the effect of them had been to throw upon the public works a large portion of the people of the country, thereby imposing great obstacles in the way of those who administered the poor law on sound principles, and in the same spirit as induced that House to pass the measure. It was not enough to call for the cordial co-operation of all parties in carrying this law into effect; but there was a peculiar duty imposed on Government to give the full aid of their authority to those who might be willing to execute their duties, and not to allow them to be overborne by tumultuous assemblages on the one hand, or by feelings of interest on the other. He certainly had voted for the clauses introduced by the noble Member for Lynn, not with any view of throwing a burden on the occupying tenant—and from that charge the noble Lord had fully vindicated himself—but because he felt it was essential in the present state of Ireland to be able to oppose to the undue wishes of the multitude for the receipt of relief, the interest of those who were of the class on whom the burden would fall most heavily, and would have the means of supporting the guardians in the discharge of their duty. He also wished to combine with them a class of persons who, from their intimate knowledge of the people, would be able to afford information as to the real condition of applicants for relief to the board of guardians. He would repeat that it was absolutely necessary Government should be prepared to lend their cordial assistance to those charged with the execution of the law. It was no secret that in Ireland it was not so much the law passed here by the House that was the question, as the mode in which that law was there carried into effect. It was impossible to expect that the gentlemen and farmers of the boards of guardians, pressed by multitudes of men, taught to depend, not on their own exertions, but on public charity, and believing that on their decision their own existence depended, could execute their duty unless they had a confidence almost amounting to certainty that in resisting unfair claims they would receive the protection of Government. They had been in the habit of attacking the mode in which the country gentlemen of Ireland had administered the law entrusted to them, and the manner in which they had levied the presentments in Ireland. But he had always considered that before they condemned those gentlemen, they ought to place themselves in a similar situation, and let the boldest among them ask what would have been their conduct if they were obliged to assemble, like those gentlemen, surrounded by crowds of men in a state of starvation, who knew that on those gentlemen depended their only hopes of relief; and let them ask themselves, too, what would have been their feelings, if they were obliged to return to their homes, assailed by those persons—exposed, if not to the loss of life, at least to some serious injury? It was from dangers of this sort that the poor-law guardians had a right to expect that Government would defend them. He had seen a published letter, by the hon. Member for Rochdale, in which it was stated, that whatever burdens might be placed on the opulent part of the country in Ireland would certainly be resisted, and that a passive resistance would be resorted to, in order to defeat the collection of the rates. Now, he boldly declared that, if after this Bill had passed, and the necessary rates imposed, there were any hesitation in their enforcement, or if Government permitted any resistance, active or passive, from that moment their poor law would become a dead letter; any social evil it was intended to remedy would be aggravated; and the measure itself, instead of proving a benefit, would become a permanent source of mischief.

Lord J. RUSSELL: Sir, I concur in all that has been said by the right hon. Gentleman who has just sat down. I agree with him that it is quite necessary that Government should protect their officers engaged in the administration of the law, not only in granting relief, but in the refusal of unfair and unjust applications. And those who have represented this law as so very objectionable and ruinous to property in Ireland, seem to me to have misconceived the administration of a law of this kind, and the purport and nature of the law itself. It is constantly represented in the pamphlet which has been circulated as the speech of the Archbishop of Dublin, as if the poor of Ireland have nothing to do but to make their choice between receiving such wages as the farmers may choose to give them, and going to the workhouse and receiving, without any work, sufficient for their subsistence and support. Now that, as everybody knows, is not the poor law. It is not the proper administration of the poor law. If the landlords and farmers agree that they can support the labouring man by wages—if the labouring man is afforded sufficient for his subsistence—he has no claim whatever on the poor-law guardians. He has no right whatever to go to the guardians and say, "I am offered work, but I prefer coming to the poorhouse. I am offered wages, but I prefer securing a subsistence without any work, and therefore I consider myself a pauper, and require support from you, instead of being employed as an industrious labourer." That is not a poor law. That is not the proper administration of a poor law. And yet by representations that such is the case under this law, and that the people of Ireland, preferring to have subsistence without work to having subsistence with work, will by this law have the alternative placed before them—it is by such representations that the Bill now before the House is made to appear so alarming to the holders of property in that country. Sir, I do think, as the hon. Member for Rochdale (Mr. S. Crawford) has stated, that this Bill is guarded by very stringent provisions. When you say there shall be no relief to the able-bodied poor except in the workhouse, and if there be no room in the workhouse that application shall be made to the Poor Law Commissioners, who shall make an order for a limited time, during which the able-bodied labourers shall be supported only by food, and not by money payment, I think you have taken very stringent precautions against the abuses to which we know every poor law is in some degree liable. I entirely agree with the right hon. Gentleman who has last spoken, that in the administration of this law, those who insist upon the enforcement of such conditions as the law has pointed out, and who act fairly, honestly, and with intelligence in carrying it out, have a right to the fullest support on the part of the Government. There are likewise questions of support to persons who, acting thus in the administration of the law, may be subjected to intimidation, and who, being unpopular, may be threatened by those who would wish a more lax and improvident system of administration. I entirely agree that we cannot expect that men will act firmly in the administration of this law, if in their lives and persons they are not to be secured by the efforts of the Executive Government. I quite admit it is not fair to charge a man with deserting his duty, giving improvident relief, and abusing the law, unless you give him the utmost security which a Government can give, that if he does act as I have described, he will be supported. I do not agree with the noble Lord who proposed a clause which has been already the subject of discussion on the report, that that clause did not impose an additional burden on the tenant. I cannot think that the case of Ireland is, as the noble Lord seems to think, exactly similar to that of England. I quite admit, if there were any additional burden, or any new county rate which you could say would be imposed on tenants at will in England from the beginning of the year 1849, that any person who was about to take a farm, or was in the occupation of a farm, would have an opportunity of making his contract with the landlord, would calculate exactly what would be the burden he would have to sustain, and would refuse any longer to hold the farm if he were bound to pay a rent, which with that burden, was disproportionate to the produce of the farm. He would be able to make that contract; he and the landlord would agree together, and probably on very fair terms, as to what portion would fall on the tenant and what on the landlord, so that most probably the whole burden would in fact fall on the landlord, by a diminution of the rent. But considering what has been the state of society in Ireland, I cannot think that such would be the case in that country. My opinion is, that though it would be a great alleviation of the burden that the clause was not to come into operation till the year 1849, there would be no deduction from the rent which could be enforced against the landlord, but a very great desire to hold out for the utmost that could be obtained; and, looking to the habits of the people, I will not say as they may be fifty years hence, but as they have hitherto been, and the strong conviction generally entertained that in holding the land they hold the means of life, I think the tenant would be obliged to pay an additional rent. If, indeed, the noble Lord had argued that no additional burden was now to be thrown on the tenant, so that there would be no inducement to look more narrowly to the administration the poor law, and see that abuses did not spring up—if the noble Lord had taken that view, I am not prepared to say that there might not have been some truth in it, though the change would not be less injurious. But when the right hon. Gentleman calls on the Government to support those who have to administer this law, I think the Executive Government, on the other hand, may very fairly express their hope that Parliament will not make the poor rate more burdensome—that they will not make the poor law odious to the people of Ireland—and will not enhance the difficulties which every man will meet with in the administration of that law, and the collection of the rate which is to be imposed. I will not, having stated my opinions to the House, now say anything further than that I am very glad to see that, after the debates we have had in this House, and the visits many Gentlemen have made to Ireland, there is no diminution of the attention paid to this Bill, and every disposition to give it a fair trial.

MR. DISRAELI: I may have misapprehended the noble Lord; but I understood him to say, that he thought the argument of the noble Lord the Member for Lynn a very good argument as applied to a county rate, but not as regarded a poor rate. [Lord J. RUSSELL: I said that it would be a good argument if applied to England, but not to Ireland.] I misapprehended the noble Lord, and, therefore, I am glad to have given him an opportunity of correcting that misapprehension. I understand, therefore, the view of the noble Lord to be this, that he thinks the argument of the noble Lord the Member for Lynn a very good argument as applied to England, but not as applied to Ireland, owing to the different state of these countries. Now, I am sure I do not intend for a moment to maintain that there are not great differences in the state of England and Ireland; but the Secretary of State has already confessed to us that he himself supports this Bill without any confidence of its producing the effect which we all desire; and yet the Secretary of State votes for this Bill, and we support the Secretary of State. The fact is, that this is a great experiment; and, if it be, is it unreasonable that the noble Lord the Member for Lynn, reasoning from such facts as political experience offers under analogous circumstances, should draw his argument from the position of affairs in England? And is it any answer for the First Minister to say that there is a difference between Ireland and England (which no one disputes), and therefore you must not refer to the instance of England? Is that not the best instance, although an imperfect one, and the only instance we can refer to under the circumstance which Her Majesty's Ministers admit, that they are offering a remedial measure in which they have not implicit confidence? I think it, therefore, not only a justifiable but an extremely wise course to refer to the best example which any one can adduce for his guidance at the moment. I therefore think that the observations of the noble Lord are really not such as should influence our opinion. It may be true that the instance of England is not exactly, or perhaps very remotely, similar to that of Ireland; but we are all agreed that it is the only example we have to guide us; and it was, therefore, a very fair basis for the clauses which the noble Lord the Member for Lynn proposed. I am of opinion—and, of course, one can only offer an opinion, for we have no experience on the subject—that the clauses which he proposed, and which he nearly carried, contained a statesman-like principle — a principle which has been much misrepresented out of the House; but, although spoken of in some terms, I will not say of contumely, by the hon. Member for Kerry (Mr. M. J. O'Connell), but with some terms of disrespect and dislike—the hon. Gentleman having received intimation from his constituents since the discussion, enforcing views which did not animate him on the night on which the Amendment was discussed; and although on a previous occasion the hon. Member for Stroud lavished his great powers of denunciation against that Amendment—the expressions which fell from the hon. Member for Stroud and from the hon. Member for Kerry, only show that an opinion exists out of doors in Ireland which does not exist in this House, as shown by the tone of the debate that evening, especially on the part of Her Majesty's Ministers; for I am sure that an opposition more moderate—I might say more modest—than that which was offered to the Amendment of the noble Lord by the right hon. Gentleman the Chancellor of the Exchequer, I never saw exhibited in any popular assembly. I thought that up to the last moment he was to be vanquished against his will. The reason of proposing the clauses in question was this, that this being by the announcement of Her Majesty's Ministers a subject of experiment—they themselves bringing forward a measure in which they had not implicit confidence—the noble Lord the Member for Lynn thinking that, although it was of great importance to relieve the tenant, it was of greater importance to pass a law not for the mere advantage of the tenant—not for the mere advantage of the landlord—not for the mere advantage of any class, but to pass a law which would really act, thought he would draw a line which, while it removed the burden from the smaller tenants, offered a stimulus to the superior ones, and would make all classes combine to carry the law into operation. Nothing is easier than, in this House, especially on the subject of Ireland, for hon. Members to rise and make general statements and flashy speeches, and talk of burdening classes; but the point to consider is, whether we will pass a law which will operate. You may pass a law, throwing as you think the burden on a particular class; but when you find you are not able to carry it into effect, what answer will you make to those parties who proposed an Amendment similar to that proposed by the noble Lord the Member for Lynn, when they ask what advantage has accrued to the country—what benefit has been conferred on the people of Ireland? In the present instance the Amendment in question proposed to do more for the smaller tenant than was done by the existing law. Under the present law no tenant was rated to the maintenance of the poor who occupied a holding under 4*l.* annual rent. The noble Lord proposed that no tenant who occupied a holding under 5*l.* a year should be rated; while at the same time, although he threw what you believe to be a burden, but what I believe to be a salutary stimulus, on the superior tenants, he stipulated that there should be a lapse of time to permit them to draw the result; he gave them the fiscal experience of two years to frame a new bargain and compact for 1849. I believe, although I don't say, that the result would be as satisfactory as the noble Lord the Member for Lynn stated; but when Ministers bring it forward avowedly as an experiment—when the Secretary of State tells us that it is with no enthusiastic conviction that he supports the measure, is it to be tolerated that clauses so practical, so wise, and, as I believe, so beneficent as those brought forward by the noble Lord, should be treated as some persons have treated them who have spoken in utter ignorance? I am not speaking of Irish Members at this moment. I refer to what has taken place out of doors; for, although the noble Lord moved his Amendment in a temper and spirit with which no one could find fault, he has received letters by every post from Ireland since couched in a very different tone indeed from some which he had previously received from the same quarter. I heard an hon. Member say on a previous evening that the Poles were the Irish of the north of Europe. I hope it will never be said of the Irish that they are a light and frivolous people; but the rapidity with which they pass votes of confidence, and then of illimitable condemnation, is certainly not an encouragement to public men, and is not the best evidence of popular consistency. The noble Lord (Lord J. Russell) has referred to a pamphlet which has just been published, containing the report of a speech of a right rev. Prelate. I am glad the noble Lord noticed that extraordinary ebullition of prelatic conviction, for anything more remarkable I never remember to have seen. Throughout that pamphlet there is one unprecedented assumption; the writer always assumes that the poor law is to be administered by the poor. That is the basis of all his arguments, the fountain of his illustrations, and the source of all his counsels. That is not the opinion, I believe, of Gentlemen on this side of the House, who generally support Her Majesty's Ministers in the measure they have brought forward. They have supported it as a great experiment—as a hazardous experiment, but as a necessary measure—as a measure brought forward under circumstances in which inevitable necessity is the counsellor of the realm. But, although it has been brought forward, under these circumstances, as a last resource—we have not counselled in panic. Although it is a measure of necessity, we bring forward in its support the principles of political science. It is not a rash measure, to allow the starving people to break into the public granaries of the realm; but it is a measure in which we have endeavoured, by stringent regulations, to benefit the country and promote the commonweal. I will venture to say, that if there be any thing calculated to bring political economy into greater discredit than it now enjoys, it is making and publishing such speeches as that to which I have just referred. The right hon. Gentleman the Secretary of State noticed the unanimity with which this question was about to pass. I certainly had no intention to interfere with that unanimity; but I am glad that the noble Lord the Member for Lynn, although he unexpectedly entered the House, did notice the attack which was made upon him; for one more unjust in its essence or more improper to encourage, as regards public men, I cannot conceive. I am glad he had an opportunity of making that vindication which has been completely acknowledged by leading men on both sides of the House. What may be the opinion of the people of Ireland, I cannot pretend to decide. I know that he has been animated in the course he has taken on Ireland by only one principle, and that was to do his duty under circumstances of great difficulty: and the consciousness of that principle will maintain him, and whatever may be their opinion, he will not swerve from the course he has determined to pursue.

Sir G. GREY: The hon. Member has referred to an expression of mine as implying that I wanted confidence in this measure. I certainly did not intend to express—and I believe I did not express—any doubt of the expediency or necessity of the measure now before the House. I did say, however, that I could not predict with confidence what the result of the measure may be, because I feel that that result mainly depends upon the support and the co-operation it may meet with on the part of that class of persons whose cooperation is essential to its safe administration.

Captain FITZMAURICE, as the representative of a large English county, and particularly as being, through his family, connected with Ireland, begged to be allowed to say a few words on this subject. One thing he would wish to point out to the farmers of Ireland, which was the great danger they were incurring by the mode of proceeding that had been adopted, unless he was misinformed, by too many of them. They were holding their corn for famine prices. Now, he had received information from a person of unquestionable authority, who wrote from Kingston, in Canada, under date the 11th of December, showing that the storehouses there were crammed with corn not able to be forwarded on account of the freezing of the St. Lawrence and the Rideau Canal; and stating that from what they heard, it seemed that there was an immensity of grain in the west not yet thrashed out. Another symptom of there being large quantities in the country was the falling of prices. In the United States the reports of the numbers of bushels to be sent in the spring were almost beyond belief. This corn would be poured upon Ireland in a mass at once, and those farmers who were holding their corn for famine prices would be disappointed; they would not be able to get any price, and therefore not able to pay their rents, and extensive ruin would be the consequence. With respect to poor relief, the plan which he had to propose, and which he had submitted to the right hon. Baronet the Member for Tamworth, many months ago, was this. He would suppose the unions of Ireland would require to be increased so as reach perhaps 200. To every union he would attach a farm of say 100 acres, over which he would appoint a first-rate bailiff. He might mention that Dr. Kane, in his *Industrial Resources of Ireland*, had given the weight of his high authority in favour of the plan. The way he (Captain Fitzmaurice) would work it would be this. Every man who came for work to the union might by this means be tested as to the sincerity of his desire to earn a livelihood by labour. He would put every such man to work on the farm, and allow him to take home his wages in preference to confining him in the house; and he contended that such a plan, if carried out on principles of high farming, would be a self-paying system. As to the draining of lands, he trusted that the Government would pause before they went further in attempting to drain the bogs of Ireland; many of the attempts that heretofore had been made, had led to disastrous results. His own family having been brought under the notice of the House at different times in the course of the late debates relating to Ireland, he trusted the House would excuse him for referring to the subject. The hon. Member for Limerick (Mr. W. S. O'Brien), who he was sorry was not then in his place, had named his (Captain Fitzmaurice's) brother, as one of those landlords who were deficient in the performance of their duties, and a constant absentee. Now, at the very time the hon. Member was making that remark, his brother was in Ireland remitting hundreds of pounds to his tenants of the rent that they owed him. His brother had also given his agent orders to draw on him to any extent for the relief of the poor on his estate; and there was not a poor tenant on that estate who had not got seed given him by his brother, and those who were disabled by sickness from doing it themselves had had the land sowed for them. There had not been one person on his brother's estate that had applied for parish relief for his family. That statement he considered it was just to his own family to make; it was a truth which he thought the people of Ireland would not be the worse for hearing. His grandfather had sunk as much as 200,000*l.* in the linen trade, which was all lost, owing to the want of energy of the people in his neighbourhood, who took a prejudice against the machinery that was employed in the manufacture. It could not be said that the loss arose from absenteeism, for his grandfather even went behind the counter in an apron in order to give an example to the people. Nevertheless the whole was lost, and he regretted to say he was the sufferer. The true cause of absenteeism lay on the people themselves, for that which immediately led to it was the insecurity for life and property that was felt in Ireland. As a proof of the insecurity of life, he might mention that his brother's servant was shot at his door, eleven bullets being put through his body. There were twenty men round the door, not one of whom stirred a hand to help the victim. When Englishmen, having property in Ireland, were accused of absenteeism, he would ask, could it be expected that any one would go from this country, where, as far as the lives of himself, his wife, and children were concerned, he might sleep with his doors open, to live in such a pandæmonium as was exhibited in the returns for 1846 of the general state of Ireland, which gave as the account of crimes committed within the year, 176 homicides: 158 firings at the person; 604 aggravated assaults; 611 demands or robberies of arms; 290 assaults endangering life; 1,783 sending threatening notices; 536 attacks on houses; 167 firings into dwellings. The hon. and gallant Member then stated the following cases as specimens of the outrages against life in Ireland: The first case occurred on October 24, 1846; it was the case of Mr. Hugh Palliser Hickman, deputy-lieutenant of Clare, late high sheriff of the country, and son-in-law of the Bishop of Meath. On the evening of that day, a numerous band of ruffians, with blackened faces, entered his house, and having placed sentinels over the servants, proceeded to the dining-room, and, calling for fire-arms, commenced a most furious attack on Mr. Hickman, who stoutly refused to deliver up his arms until he was completely overpowered by several blows on the head; when Mrs. Hickman pointed out where the arms were, with which the ruffians decamped, but not before they had renewed their brutal attack on Mr. Hickman, inflicting two very deep wounds on his head, and breaking one of his fingers. The outrage was the more to be lamented, seeing that the object of it was always resident in the country, and not less conspicuous for his humane attention to the wants of the poor, than for the extensive employment which he gave. A number of poor people residing on land adjoining Mr. Hickman's property would have been in a most deplorable state of destitution had not Mr. Hickman provided them with constant employment during the year, and thus kept their families from starving. In the county of Galway, on the 9th of December, a most brutal murder was committed near Tuam, on Mr. John Lynch, who was a large landed proprietor, and one of the kindest and most benevolent gentlemen within the district in which he resided. He was also a most inoffensive man, and was greatly esteemed by every person, rich or poor, in the neighbourhood, and it was unaccountable why he should have been selected for the dagger of the assassin. Mr. Lynch was entering his own gate when he was fired at from behind, and it would appear that the shot mortally wounded but did not instantly kill him. The assassins beat him dreadfully on the head, and moreover houghed and mangled his body in a shocking manner with some instrument supposed to be a reaping hook. There was not the slightest cause assigned, nor indeed could there be, for this murder. Personally there could be no ill feeling towards Mr. Lynch, for he was kind, humane, charitable, and conciliating. The shrieks of his family and their heart-rending anguish could not be heard without emotion by the most hardened, and upon one of his children the effect had been of the most melancholy description. With respect to Tipperary, with which his brother's family was more immediately connected, it was stated in the return to which he had already referred, that that county alone had furnished 604 cases of aggravated assaults, whilst—and this was a fact which demanded the serious consideration of the House—out of the gross number of 176 murders, no less than 132 were committed in Tipperary. These murders were perpetrated under circumstances of the most revolting barbarity. The particulars of one of these cases were thus described:—

> "About the hour of 12 o'clock on Sunday night last, five men—rather monsters in human form—went to the house of Michael Mullaly, at Jamestown, and demanded admittance in the name of the police. Before the door could be opened, it was violently forced in; four ruffians entered, two of whom wore masks, the other two had their faces coloured. One of them was armed with a pistol, and the fifth person, who was stationed at the door, was armed with a pitchfork. There were in the house at the time, James Mullaly, 80 years of age, and his nephew, Michael, aged 60 (a cripple), and two women named Mary and Ally Mullaly. The party having lighted four candles, which they brought with them, then demanded what money was in the house, and were informed that ten shillings were all they had. One of them produced a book and swore the entire family as to the truth of what they said; and he then deliberately swore on the same book that they would leave the entire family corpses before they left. They then beat them. The gray locks of the venerable old man, or the helpless state of the unfortunate cripple, were no shield from the brutal attack of these sanguinary scoundrels. They next proceeded to the bed, and having dragged Alley therefrom, they also dreadfully beat and kicked her, and having procured a rope, they tied it round her neck, fastened it to a beam, placed her on a box, in the most cool manner, and when they had all ready, they removed the box, and left the body suspended from the beam. Before life became extinct, those monsters cut down the body of the wretched woman, dragged it to the fire-place, and placed her on her side across the fire; however, she was then thrown on the kitchen floor, to all appearance lifeless, when one of these monsters got a burning coal, and placed it on different parts of her arms, and then beat and kicked her about the head and shoulders unmercifully. All this was done with a view of extorting a confession of where they had the money. The party remained in the house for three or four hours, and when going away one of them lit straw and held it to the thatch for the purpose of setting fire to the house."

It might be supposed that those wretches committed the crime in order to obtain possession of some rich booty—an enormous quantity or a large sum of money. They carried away with them all they could get—1*s.* 2*d.* and an old razor. For so trifling a booty was that frightful tragedy enacted. In another instance a party broke into the dwelling-house of a man named Renchen, whom they beat in a shocking manner, and afterwards placed upon the fire. The man died. He would not travel further into this record of blood; but when the landlords of Ireland were condemned for absenteeism, and when the Legislature was about to impose upon Ireland the severest absentee tax which could be devised, he called upon the Government and Parliament to make life and property as secure in Tipperary as in Middlesex and Buckingham. He had a right to make that demand. Under the present system of violence and intimidation, it was impossible for a landowner in Ireland to farm his land to the best advantage—he was not allowed to do so. A gentleman who had some property near his brother's estate, directed his steward to send some men from one farm to another. The consequence was, that the steward's skull was broken immediately, and the gentleman received notice that if he persevered in his design he would be killed the next day. These violent proceedings were not confined to disputes respecting land. The Irish fisheries ought to be most productive; but he would ask the noble Lord the Member for Newry whether from the moment the Board of Works began to pay out money, a single net had been put in the water in the north of Ireland? Conversing lately with a person who fished the west coast of England, he asked him why he did not go to Ireland where fish were so abundant? His reply was that he had gone there once, and the people cut his nets, in consequence of which he left the country in disgust. He was aware that a fishing company was once successfully employed on the coast of Waterford, the men earning 18*s.* per week each, and the produce paying a dividend of 20 per cent. The nets were destroyed, and the boats cut adrift in the night. The company of course ceased working, and the district lost the advantage which it derived from the fishing. The House had heard much of the misery existing at Skibbereen. Within five miles of that place was fish enough to feed all Ireland. There was as fine a bank of fish off Youghall as at Newfoundland, and fish might be obtained there in sufficient quantities to supply not only Ireland but France and Spain. The people on the spot would not take the fish, and English fishermen had been invited to go there; but not a man would stir, because he knew that his life would not be safe. He called for no Coercion Bill for Ireland, but he did demand security for life and property in that country. One of the most disheartening circumstances attending the present crisis was the continuance of the Repeal agitation. Whilst Ireland was being saddled with taxation to the amount of four, and, it might be, eight millions, and whilst England was straining every nerve to save the people of Ireland from starvation, a set of persons were anxious to separate the two countries. It was time that the distinction between Saxon and Celt should be forgotten, and that all Irishmen should unite in an endeavour to benefit their common country. In his opinion the commencement of the social regeneration of Ireland was compressed in a monosyllable—the spade. The hon. and gallant Member concluded by declaring his intention to support the Government amidst the unexampled difficulties in which it was placed.

Bill read a third time.

Sir GEORGE GREY moved several verbal Amendments and additional clauses, which were agreed to.

Mr. GROGAN said he had given notice of his intention to move the addition of two clauses to provide against a pressure that would probably occur in this way:—Liverpool was at the present moment overwhelmed by the influx of Irish paupers; that town would soon have the power of removing those paupers back to Ireland. Dublin would be the place where those distressed objects would land, and the citizens of Dublin would be obliged to give them relief. His wish was to enact that Dublin (or any other place similarly circumstanced) should have the power to examine the poor whom they relieved as to the union whence they originally came; and to charge such union with the expenses incurred in administering such relief. He was, however, informed by the Speaker, that owing to an informality, it was not competent for him to propose the clauses he had prepared. At the same time, it was a subject that vitally affected the city of Dublin, where there were at present upwards of 40,000 paupers receiving relief under the Temporary Relief Bill. If the Government would give the unions a power of removal, the clauses he had intended to propose would not be necessary.

Mr. SPEAKER said that the clauses went to impose a burden upon unions in Ireland which was not at present instituted by any other clause of the Bill, and therefore it was not competent, by way of rider, to introduce such clauses.

Sir G. GREY said, the clauses involved the subject of the law of settlement, which was a matter of too great importance to be enacted by way of a rider to any Bill. He could assure the hon. Gentleman that the subject would engage the serious attention of Her Majesty's Government.

Bill passed.

LANDED PROPERTY (IRELAND) BILL.

On the Motion of Lord J. RUSSELL, the Landed Property (Ireland) Bill was read a third time.

Colonel RAWDON rose to move the insertion of the clause of which he had given notice, empowering the landlords to obtain money under the provisions of the Act for the construction of corn mills. The gallant Colonel said he was extremely sorry that the Government had taken the course they had with respect to this Bill. It was admitted on all hands that the people of Ireland would hereafter be much greater consumers of corn than they had been, and it was also admitted that the grinding power of Ireland was quite insufficient for its present wants. Mr. Trevelyan confirmed that statement, and suggested the employment of hand-mills as a temporary measure. Did he want further proof, he need only refer to the fact, that to meet the present emergency, the Government itself had put the whole of the mill power under the control of the Admiralty in the Channel Islands and at Malta, into requisition for the manufacture of food. It was, therefore, exceedingly unfortunate that Government had not adhered to the Bill as it was originally framed; because it then enabled landed proprietors to improve their property by making them advances to establish mills. Having mentioned the name of Mr. Trevelyan, he considered it but an act of justice towards that gentleman to say, that he had shown the greatest talent, zeal, and humanity throughout the whole of these transactions. Nothing escaped his penetration; nothing was beyond or beneath his attention, from the cultivation of land to the concoction of stir-about. He (Colonel Rawdon) called the attention of the House to the actual state of the mill business in Ireland, and quoted the report of a recent Committee on the subject. Mr. Trevelyan in that report stated that the corn was ground in two ways; either through the medium of a jobber, who went round the country and bought the corn up, or it was taken to the mill by the farmer himself. It was there weighed, but not in the presence of the farmer, who was not allowed to come on the premises; and if he had not weighed it beforehand, a practice very unusual, and in many instances impossible for want of means, he was at the mercy of the miller. If the farmer did not choose to accept the price offered him, there was an understanding among the millers, who were quickly apprised of the circumstance, and none of them would advance a single farthing beyond the sum originally offered; and the farmer was compelled to accept it. The report continued, that a more liberal principle of trade was indispensable; and he called on the Government, who were the advocates of the principles of liberal trade, to carry out the report, by permitting the re-introduction of clauses into the Bill empowering the landlords to employ the Government grants in the construction of mills. The necessity was most pressing, for although, no doubt, in some parts of Ireland mills would be erected by private enterprise, they would chiefly be mercantile concerns, and the population would be left in a deplorable condition. Even at the present time they had to wait their turns at the mills for hours, and fights had often occurred for priority, in which lives had been lost. The noble Lord the Member for Falkirk (Lord Lincoln) had said—and the sentiment had been re-echoed by the right hon. Baronet the Member for Tamworth—that the landlords must rely on their own exertions; but, in order to show the absurdity of that remark when applied generally, he stated the case of a gentleman whom he knew, the proprietor of a property in Sligo, the rental of which was 1,100*l.* a year, who resided entirely in Ireland. Last year, of that 1,100*l.* he received only 100*l.*, and this year only 15*l.* How then was he, by his own exertions, to improve his property? He was not advocating a large grant of money for the purpose of erecting mills; he only contended that such erections ought to be included in a Bill which professed to advance money to the landowners for the purpose of improving their estates. He had attended the Committees, and after such evidence as that he had alluded to, given by a gentleman of so much information and experience as Mr. Trevelyan, he felt very much surprised that the clauses relating to mills were left out. Some objection had been made by the Board of Works of difficulties; but he thought that practically it would be as easy to survey districts and make reports as to the necessity for mills in those districts as to make surveys for other purposes. He did not see why the erection of corn mills might not be considered as much a permanent improvement as any other. The hon. and gallant Gentleman, in conclusion, moved—

> "That the words, 'erecting and making corn mills, with the necessary buildings and water courses for the use of the same, or otherwise, in the opinion of the said Commissioners, permanently improving lands in Ireland,' be inserted at the end of Clause 4."

Sir G. GREY admitted, that it was very desirable to increase the milling power of Ireland, which was at present far from sufficient to meet the requirements of the country. The question, however, for consideration at the present moment was, in what way could the funds (1,500,000*l.*) authorized to be raised under the Bill be best applied. The object, as he understood it, was to improve the land, to drain, sub-soil, warp, and bank land from tidal or river waters—reclaim waste lands, make roads, &c. These were objects directly connected with the improvement of the soil; but with regard to the erection of corn mills, he believed they were the very best investments in Ireland, and that if the Government did not interfere, the exertions of private capital would be found amply sufficient to meet the great demand that most probably would be made upon them. The words were inserted in the Bill originally, but had been struck out at the express desire of several hon. Members connected with Ireland. Under those circumstances, he felt bound to resist the Motion of the hon. Member for Rochdale.

Mr. THORNELY agreed with the right hon. Gentleman the Secretary of State, that it would be better to leave the construction of mills to private enterprise. Bearing in mind the great drain upon this country, he did not think they ought to sanction a further advance for the encouragement of a branch of industry which at present yielded to the capitalist an immense profit.

MR. FRENCH said, that he must confess that he never heard anything more lame than the defence now brought forward by his right hon. Friend the Secretary for the Home Department, for what he must designate the weakness of the Government in abandoning a provision which, after a long and apparently mature consideration, they had introduced into this Bill, and which they now struck out at the mere suggestion of a noble Lord who had filled the office of Secretary for Ireland but for a very short time; and who, according to the description of the right hon. Member for Dungarvon, had come into that office in a state of nature from the Woods and Forests. He denied that any analogy existed between the state of farm tenancies in England and Ireland. In the latter country, especially in the west, the farms were generally exceedingly small, and it was a great object to aid their consolidation into large holdings, which was the more necessary in consequence of the great emigration now going on. To render the present crisis available, it was required that farm buildings, suited for such larger holdings, should be constructed, which could not be done by the landlords under circumstances like the present, when their rents were unpaid, and a vast number of small farms thrown upon their hands. In order to prevent the perpetuation of a bad system, the aid of Government loans for this purpose was absolutely essential. The consequence of a denial of such loans would be the perpetuation of the present system of minute holdings with all their attendant evils, now so strongly held up to public view. With respect to mills, also, the change from potato to corn food imperatively required that the means of preparing such food should be at hand in every district. The people were now left at the mercy of the great millers, and a sort of monopoly, very injurious to the poor, thereby maintained. Small mills, in convenient situations, were the proper antidote for such monopoly, and aid for their construction should be given by Government loans under this Bill.

The House divided on the question that the words proposed be there added:—Ayes 31; Noes 100: Majority 69.

List of the AYES.

Allix, J. P.
Archdall, Capt. M.
Arkwright, G.
Bennet, P.
Bentinck, Lord G.
Beresford, Maj.
Brooke, Lord
Chichester, Lord J. L.
Christopher, R. A.
Clive, Visct.
Dawson, hon. T. V.
Dick, Q.
Fitzmaurice, hon. W.
French, F.
Gore, M.
Granby, Marq. of
Grogan, E.
Halsey, T. P.
Hill, Lord E.
Lawless, hon. C.
M'Carthy, A.
Manners, Lord J.
March, Earl of
Maxwell, hon. J. P.
Newdegate, C. N.
Newry, Visct.
O'Connell, M. J.
Pollington, Visct.
Repton, G. W. J.
Verner, Sir W.
Worcester, Marq. of

TELLERS.

Rawdon, Col.
Crawford, W. S.

List of the NOES.

Acland, T. D.
Adderley, C. B.
Anson, hon. Col.
Arundel and Surrey, Earl of
Austen, Col.
Baine, W.
Bannerman, A.
Baring, rt. hon. F. T.
Bateson, T.
Bellew, R. M.
Berkeley, hon. C.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Blackburne, J. I.
Bodkin, J. J.
Bouverie, hon. E. P.
Broadley, H.
Brotherton, J.
Busfeild, W.
Cardwell, E.
Colebrooke, Sir T. E.
Cowper, hon. W. F.
Craig, W. G.
Davies, D. A. S.
Deedes, W.
Dickinson, F. H.
Douglas, Sir C. E.
Duckworth, Sir J. T. B.
Duncan, Visct.
Dundas, Adm.
Dundas, F.
Dundas, Sir D.
East, Sir J. B.
Ebrington, Visct.
Evans, W.
Fielden, J.
Forster, M.
Frewen, C. H.
Gibson, rt. hon. T. M.
Gill, T.
Gisborne, T.
Gladstone, Capt.
Gore, W. R. O.
Gore, hon. R.
Goulburn, rt. hon. H.
Greene, T.
Grey, rt. hon. Sir G.
Grosvenor, Lord R.
Hall, Sir B.
Hamilton, W. J.
Hanmer, Sir J.
Hastie, A.
Hawes, B.
Hay, Sir A. L.
Henley, J. W.
Hindley, C.
Hobhouse, rt. hn. Sir J.
Howard, P. H.
James, Sir W. C.
Jervis, Sir J.
Jones, Capt.
Labouchere, rt. hn. H.
Langston, J. H.
Le Marchant, Sir D.
Lindsay, Col.
M'Donnell, J. M.
M'Neill, D.
Maitland, T.
Maule, rt. hon. F.
Monahan, J. H.
Morgan, O.
Morpeth, Visct.
Morris, D.
Nicholl. rt. hon. J.
Napier, Sir C.
O'Conor Don
Ogle, S. C. H.
Palmer, R.
Parker, J.
Perfect, R.
Ponsonby, hon. C. F. A. C.
Rice, E. R.
Rich, H.
Rumbold, C. E.
Russell, Lord J.
Rutherfurd, A.
Seymer, H. K.
Seymour, Lord
Sheil, rt. hon. R. L.
Smith, rt. hon. R. V.
Somerville, Sir W. M.
Stanley, hon. W. O.
Sutton, hon. H. M.
Talbot, C. R. M.
Thornely, T.
Turner, E.
Vivian J. H.
Ward, H. G.
Wawn, J. T.
Wyse, T.

TELLERS.

Tufnell, H.
Hill, Lord Marcus

LORD G. BENTINCK moved that the words "and substantial farm-houses and buildings" should be restored to the fourth clause of the Bill. He had received a great many communications on this subject, and great anxiety was expressed that these words should be re-introduced into the Bill. If it was intended to improve agriculture in Ireland by the promotion of a system of consolidating and enlarging farms, and encouraging the adoption of the same system as in this country; then one of the first things that should be resorted to was to erect substantial farmhouses. He did not think, therefore, that Government could assist and encourage agriculture in Ireland in a way that would be more advantageous than by restoring the words he had proposed to the fourth clause of the Bill.

Sir G. GREY thought the restoration of the words proposed by the noble Lord was not advisable. A good deal of evidence had been examined on this point before the tenant-right commission, and the result of that evidence was to prove the inexpediency of giving money for the erection of farm buildings. The matter had also been discussed in the other House; and the Government had, after mature deliberation, come to the resolution that it was not advisable to advance money for any other purpose than the permanent improvement of the land.

The House divided on the question that the words be there added:—Ayes 30; Noes 86: Majority 56.

List of the Ayes.

Allix, J. P.
Archdall, Capt. M.
Arkwright, G.
Austen, Col.
Bennet, P.
Bentinck, Lord G.
Brooke, Lord
Chichester, Lord J. L.
Christopher, R. A.
Clive, Visct.
Crawford, W. S.
Deedes, W.
Dick, Q.
Douglas, Sir C. E.
Fitzmaurice, hon. W.
French, F.
Frewen, C. H.
Gordon, hon. Adm.
Gore, M.
Granby, Marq. of
Halsey, T. P.
Hill, Lord E.
M'Carthy, A.
Manners, Lord J.
March, Earl of
Newry, Visct.
Rawdon, Col.
Repton, G. W. J.
Verner, Sir W.
Worcester, Marq. of

TELLERS.
Beresford, Major
Newdegate, C. N.

List of the Noes.

Acland, T. D.
Adderley, C. B.
Anson, hon. Col.
Arundel and Surrey, Earl of
Baine, W.
Bannerman, A.
Baring, rt. hon. F. T.
Bellew, R. M.
Berkeley, hon. C.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Blackburne, J. I.
Bodkin, J. J.
Bouverie, hon. E. P.
Bowring, Dr.
Brotherton, J.
Busfeild, W.
Cardwell, E.
Colebrook, Sir T. E.
Cowper, hon. W. F.
Craig, W. G.
Dickinson, F. H.
Duckworth, Sir J. B. T.
Duncan, Visct.
Dundas, Adm.
Dundas, F.
Dundas, Sir D.
Ebrington, Visct.
Evans, W.
Forster, M.
Gibson, rt. hon. T. M.
Gill, T.
Gisborne, T.
Gladstone, Capt.
Gore, hon. R.
Goulburn, rt. hon. H.
Greene, T.
Grey, rt. hon. Sir G.
Grosvenor, Lord R.
Hall, Sir B.
Hamilton, W. J.
Hanmer, Sir J.
Hastie, A.
Hawes, B.
Hay, Sir A. L.
Henley, J. W.
Hindley, C.
Hobhouse, rt. hon. Sir J.
Howard, P. H.
James, Sir W. C.
Jervis, Sir J.
Labouchere, rt. hon. H.
Langston, J. H.
Le Marchant, Sir D.
Lindsay, Col.
M'Donnell, J. M.
Maitland, T.
Maule, rt. hon. F.
Monahan, J. H.
Morpeth, Visct.
Morris, D.
Napier, Sir C.
Nicholl, rt. hon. J.
O'Connell, M. J.
O'Conor Don
Ogle, S. C. H.
Parker, J.
Perfect, R.
Ponsonby, hn. C. F. A. C.
Rice, E. R.
Rich, H.
Rambold, C. E.
Rutherfurd, A.
Seymer, H. K.
Seymour, Lord
Sheil, rt. hon. R. L.
Smith, rt. hon. R. V.
Somerville, Sir W. M.
Stanley, hon. W. O.
Stansfield, W. R. C.
Talbot, C. R. M.
Thornely T.
Turner, E.
Vivian, J. H.
Ward, H. G.
Wawn, J. T.

TELLERS.
Tufnell, H.
Hill, Lord Marcus

Mr. SHARMAN CRAWFORD said, that he had given notice of his intention to move that two clauses should be expunged from the Bill. The first of these was the 35th, which gave a power to the landlord to enter upon the land of the tenant without his consent, and effect improvements. There was no such power given to landlords in England. He complained that this was legislating on the old coercive plan, which had done so much injury in Ireland heretofore, and which if acted upon would do still more. He earnestly asked the Government to expunge such power from the Bill. It would be exceedingly hard to give power to a landlord to enter upon his tenant's land and effect improvements, by means of which he would be enabled to demand a higher rent; but which improvements, if proper protection were given, would be effected by the tenant himself. He would, in the first place, move that the 35th Clause be expunged; and he would afterwards move for the expunging of the 45th Clause. He earnestly submitted to the Government whether it was not advisable to agree to his suggestion.

Mr. MONAHAN said the Bill could be scarcely acted upon at all without the 35th Clause; and the other clause he thought necessarily followed from it.

Motion negatived. Bill passed.
House adjourned at half-past Twelve.

HOUSE OF LORDS,

Monday, April 19, 1847.

MINUTES.] *Sat first.*—Lord Rodney, after the Death of his Uncle.

PUBLIC BILLS.—1ª Poor Relief (Ireland); Landed Property (Ireland).

2ª Exchequer Bills; Troops during Elections.

Reported.—Mutiny; Marine Mutiny; Indemnity.

PETITIONS PRESENTED. By Lord Walsingham, from Suffolk, against the Poor Removal Act.—By Lord Feversham, from Dissenters of Stroud, and a great number of other places, against the proposed Government Plan of Education.—By the Earl of Eglintoun, from Malt Distillers of Scotland, against the proposed Reduction of Duty on Colonial Spirits, unless accompanied by a corresponding Reduction of Duty on Malt used in making Malt Spirits.—From the Clifden Relief Committee, complaining of the Distress in Ireland, and praying for a Supply of Seed Corn.—From Bridgewater and several other places, in favour of the proposed Government Plan of Education.—From the Gorey Poor Law Union, respecting the Revision of the Law of Landlord and Tenant.—From Tipperary, for the Advancement of Sums of Money, by way of Loan, to Railway Companies in Ireland.—From the Grand Jury of the North Riding of the County of Tipperary, against the Indiscriminate Sale of Fire Arms in Ireland.

WANT OF SEED (IRELAND).

The EARL of CLANCARTY: I beg to present to your Lordships a petition from the relief committee of Clifden, in the county of Galway, representing the destitution of the farmers in that district with respect to the means of sowing the land, and praying that your Lordships would take such steps as may avert from that district the recurrence of a famine. I am aware that your Lordships have no power of complying with the prayer of the petition; but my laying it upon the Table of the House may be so far beneficial, that your Lordships will then have before you a faithful representation of the existing circumstances of a district which is, I fear, but a sample of many others similarly circumstanced in the west and south of Ireland—of that country for which you are now called upon to provide an extended poor law, and to apply the operation of principles which, according as they are sound or unsound, may either lay the foundation of great and lasting social improvement, or aggravate the evils by which it is retarded. I should have presented this petition to your Lordships before Easter; but having been detained in the west of Ireland by the duties which the present distressed state of the country demands at the hands of the landed proprietors, I did that which was most likely to be of use to the petitioners—I brought the case under the notice of Lord John Russell, through whom alone, as the head of the Government, any effectual steps could be taken to remedy a state of things threatening to the very existence of a large population. But although I am impressed with the belief that the noble Lord was most anxious to provide a remedy, I much apprehend that the steps he has taken may prove altogether unavailing even to mitigate the evil; and this is my reason for troubling your Lordships with the statement, as I am desirous of drawing the attention of noble Lords connected with the Government to the subject. His Lordship wrote to me a few days after my interview with him, to acquaint me that my wishes with respect to the district in question had been anticipated, as I should see by referring to a copy he enclosed to me of a letter addressed on the 31st of March from Mr. Trevelyan to the officer in command of Her Majesty's steamer *Odin*, having on board, from the British Relief Association, a cargo of various seeds, to be disposed of at certain specified prices, for ready money, at Galway, Clifden, Westport, and Belmullet. I should be glad to hear that the prices had been realized, as it would show satisfactorily that there did not exist that destitution in the district which the petition leads one to believe, and because, if the seed has been disposed of, not only will the requisite of sowing the land have been provided in the best manner, but some useful crops will have been introduced, the cultivation of which may more than compensate for the loss of the potato; but when I compare the price to be paid for the oats, the article most needed—20*s*. per barrel—and find that it rather exceeds the market price of the same article at the same date in the markets of the following Irish seaports; that at Cork oats were selling from 14*s*. to 21*s*.; at Waterford, from 18*s*. to 23*s*.; at Wexford, from 14*s*. to 18*s*.; and at Galway, from 18*s*. to 23*s*.; and that no sales are to be made except for ready money—I cannot but fear that the expedition of this cargo of seeds, however benevolently intended, is not likely to be attended with any beneficial results. Mr. Trevelyan, in writing the letter of instructions, appears to have already realized in imagination the prices at which these seeds were to be disposed of, and is very particular in his instructions upon the subject. He writes thus:—

> "You will make no sales except for ready money; and you will keep the sums received by

you in some secure place on board the steamer, and pay them immediately on your return to London to the treasurer of the Association."

I do not believe, my Lords, that these sums of money, the price of the seeds, exist in the district of Clifden; the petition expressly notices the destitution of the farmers, and states that the landlords, however willing, have not the means of assisting their tenants. It is almost mockery of distress to offer, under such circumstances, to supply seeds for ready money at the market prices. The character of Mr. D'Arcy, the chairman of the Clifden relief committee, whose name is to the petition, is a guarantee for the truth of what it represents. My noble Friend opposite (the Marquess of Clanricarde) will, I am sure, bear me out in saying that this gentleman is deservedly respected as a resident proprietor of most active benevolence, and unwearied in his exertions to improve that district of country, where, in the town of Clifden, he has laid the foundation of the civilization and future prosperity of the county. To some of your Lordships it may appear strange that with a proprietor so active and well disposed, the district in which he resides should be so backward in improvement as to have been, as the petition represents, heretofore wholly dependent upon the potato crop; but such of your Lordships as are acquainted with Ireland, will better appreciate the difficulties arising from the prejudices, habits, and dispositions of the peasantry, that obstruct improvement, and especially their improvidence and want of self-reliance—dispositions which, I regret to say, have been not a little increased by the operation of the temporary relief measures, and by the mode in which they have been administered. I do not blame Her Majesty's Ministers for having proposed those measures; in proposing them they acted for the best, and with the almost unanimous concurrence of Parliament. They were only opposed by some of the landlords of Ireland, who, unfortunately, not being in the favour and confidence of the Government, were not heeded. Had their representations been attended to, the labour that has been wasted upon the roads of the country, the money that has been thus unprofitably squandered, would have been beneficially invested, and the fatal error avoided of withdrawing an agricultural population from works connected with agriculture, at a time when, more than ever, it was necessary to improve the resources of the soil, and to stimulate the activity of the husbandman; but the time was short, and the Temporary Relief Bill—the Labour-rate Act—of last Session was introduced at a period too late for due deliberation. By that Act, the Government practically undertook the relief of the distressed poor. The proprietors of the land, the ratepayers, and the guardians of the poor, were superseded in the duties which they could best have performed, by officers of the Army and civil engineers, acting under the sole authority of the Board of Works, rarely in concert with and generally in opposition to the wishes of the resident gentry; and both by the high rate of wages and the license given to idleness, the great body of the labouring class, to the number of 700,000, were withdrawn from the fields to work upon the highways. I am well aware that the Government sought and hoped by the introduction of a system of task-work to remedy the demoralisation which had resulted from the employment given under the late Government upon the public roads; and I was myself not without hope that good might thereby have been effected; but the circumstances were adverse, the price of provisions had become so exorbitant in consequence of the principles of political economy having been pushed too far, that it became necessary to increase the rates of wages; and as it was impossible during the short days of winter in frost and snow that a day's work could be performed, many had to be paid without the performance of the required task; and the result has been the total demoralisation of the labouring class, and their belief that whether they work or not the State will provide for them. The bad results of the Labour-rate Act led, I believe, to the early assembling of Parliament, and to the endeavour by the Temporary Relief Act of the present Session to throw the labour again upon the land. The responsibility has been cast upon the resident gentry, of administering under this Act the necessary supplies of food to those in want. That duty the gentry of Ireland are zealously engaged in performing; but, on the part of the labouring class, there is found an unwillingness to accept from the former the comparatively low rate of wages which it is in their power to offer, and for which they would require a return in work: hence the operations of farming have been retarded, and much of the land lies untilled for want of the hands necessary to cultivate it. For the ill success of the Labour-rate Act, the Government are not altogether to blame; but to the operation of that Act it is undoubtedly owing that the farms are in many places yet untilled. But errors were committed by the Government which might and ought to have been avoided, and which did mislead as to their intentions with respect to supplying seed and seed corn: these circumstances are noticed in the petition. On the 16th of October Sir Randolph Routh issued to the several relief committees the following circular:—

> "Commissariat Relief Office, Dublin Castle, 16th October, 1846.
>
> "Sir—Commissary-General Sir Randolph I. Routh has the satisfaction to state, that it is intended by Her Majesty's Government to place seed rye at the disposal of the Commissariat in Ireland—to be consigned to Dublin, and sold at cost price.
>
> "The relief committees in Ireland are requested to supply immediately returns of the extent of land now prepared for rye crop, or which may be prepared in due time for this season; and the quantity of seed required, which will be forwarded to them, or to the nearest point accessible by water.
>
> "If barley or bere should in any cases be preferred, it is requested that the applications be made specially for that seed.—I have the honour to be, Sir, your obedient servant,
>
> "W. STANLEY, Secretary."

Though disapproving of the step thus taken by the Government, as tending, without any necessity, to interfere with the ordinary economy of the farmer, and to raise expectations of further aid in the sowing of the land, I yet felt that this seeming boon having been offered, it was right to send the required return of the proportion of land for which such seed might be supplied: the inquiry necessarily raised expectation, but the promised supply was never sent. About the same time were issued the rules, a copy of which I hold in my hand, under which the relief committees were required to register persons to be employed on the public works. Among those who required to be so employed were many who held small farms, and it was not deemed necessary or desirable to require that their seed corn as well as available food should be consumed. Under these rules the instructions to the relief committees were that—"None should be registered but such as shall appear to be in actual necessity of relief, having no other resource or means of acquiring subsistence." Among the applicants for relief were many who, though they held small farms, really stood in need of it; and it had been previously deemed desirable that they should reserve a sufficiency of corn for seed. Reflections, however, were made upon the Committees for recommending persons to be employed who, it was reported, had stacks of corn in their haggards. English gentlemen, readers of the *Times* or *Daily News*, were taught to believe that the landlords were thus endeavouring to secure their rents. Relief committees were therefore required strictly to interpret their instructions, that the few sheaves of corn which constitute the store for seed of the small farmer of three or four acres, had to be consumed as food before the occupier or any of his family could be employed. This, coupled with the promise of seed rye, seemed to imply that seed corn would likewise be supplied by the Government when the time should come, as it has done, for sowing it. I am far from thinking that the Government should be looked to in general for such aid; and I think no expectation of the kind should ever be raised; but in this case it was raised, and I think the Government have made themselves responsible for the state of things represented in the petition; and I therefore hope that if the officer in charge of the cargo of seed has not been able to dispose of it according to his published instructions, he may have had secret instructions to fall back upon, which may have enabled him, ere this, to advance on credit, or in some cases gratuitously, the seed indispensable for sowing the land. If not, I would earnestly impress upon the Government the duty of promptly interfering.

THE GOVERNMENT PLAN OF EDUCATION.

LORD BROUGHAM presented a petition from Protestant Dissenters of Reading and Banbury, against the Government plan of Education. He wished to know whether in the Minutes of 1839 it was provided that the authorized version alone should be used? If so, Roman Catholics would have been excluded, and he never would have consented to one farthing of a grant which would have had that effect. The noble Lord then put a question to the noble Marquess the President of the Council, respecting applications by Roman Catholics for assistance to schools under the Minutes of Council.

The MARQUESS of LANSDOWNE said, that the words "authorized version" were not in the Minutes of 1839; but it had never been intended or understood that any other than the authorized version of the Scriptures should be used in the schools; and, whenever application should be made by Roman Catholic schools, they would be told that the applications would be open to consideration wiih respect to the regulations at the schools.

Lord BROUGHAM said, if the Scriptures were to be used in the schools, that the term "Scriptures," *ex vi termini*, meant the authorized version, there could be no doubt. But he did not think that the exclusion of a particular class of schools was so well understood as the noble Marquess seemed to think. If Government had no doubt themselves on the point, why, he would ask, was their answer to recent applications for aid from Roman Catholic schools, that they would consider the question of giving aid to them? He, for one, thought that the word "Scriptures" ought to include every regular version of the sacred writings, whether of the Roman Catholic or of the Protestant Church; and he was never more astonished in his life than he was to find that any doubt ever existed as to the propriety of educating Roman Catholic children. They all knew that in England there were very few Roman Catholics of a class requiring Government aid. Such schools were confined to one or two places, such as Liverpool, and Glasgow in Scotland. In Ireland, where the great bulk of the population was Roman Catholic, no such exclusion was possible, or was attempted. He could not allow the opportunity to pass without expressing the sorrow he felt that, not in 1447 or 1547, but in the year 1847, they should find, as appeared from what was going on elsewhere, the great question of education mixed up with all the embroilment of sectarian violence and bigotry.

Lord BEAUMONT wished to know, if he understood what fell from the noble Marquess to mean that there was no other Minute of Council with regard to the authorized version of the Scripture existing, but that which bore date the 3rd of December, 1839; because, if there were no Minutes except those published, he thought it required some ingenuity to construe them into the meaning given to them by the noble Marquess, namely, that the authorized version of the Scripture in its integrity must be used in all schools receiving aid. The words of the Minute of 1839 were, "the daily reading of a portion of the Scriptures," which might mean, he thought, such portions as were used in the National Schools in Ireland. He wished distinctly to state also that one of the sources of his regret at the explanations given, was, that they would have the effect of creating further sectarian division. He disliked separate education. He had hoped to see under the same roof, taught by the same masters, and inspected by the same officers, both Catholic and Protestant children. He wished to see the same secular education given to both of these persuasions in the same school, convinced that if they could study together, much of that sense of separation and of those divisional interests which were the cause of all sectarian feeling, would gradually disappear; and the two portions of the community be thus drawn closer together in after life, to the general advancement of Christian charity towards each other. Now, from the plan adoped, that great result could not be attained. Whether or not the Committee of Privy Council might thereafter choose to give assistance to Roman Catholic schools, was yet to be seen. But in any case, if assisted, or not, the Roman Catholics would be taught in Roman Catholic schools alone; so that the advantages of inspection would be lost, as well as of children of both persuasions being taught in the same schools. But the question he wished to put to the noble Marquess was this: was there any other unpublished Minute of the Committee of Council in existence beyond that dated the 3rd of December, 1839?

The Marquess of LANSDOWNE replied, no other Minute whatsoever. He proceeded to say that the Roman Catholics were so persuaded they were excluded from participation in the grants for education that they had never made any application for assistance. He entirely agreed with his noble Friend that it would be most desirable that children of all religious persuasions should be taught together if it were practicable; and he should much desire to see a practicable scheme proposed for such a purpose. He begged to make another observation before sitting down. No application had been made requiring an explanatory communication with reference to the authorized version of the Scriptures being ordered to be used; but if applications had been made by Roman Catholics, the judgment upon such applications would have been founded upon special inquiries, to be made in each particular case. It would be necessary the Council should know what sort of regulations were those proposed for the school mentioned in each application, because he had no authority for supposing that if there were no difficulties existing with respect to the version of the Scriptures, the other regulations of the Privy Council would be accepted by Roman Catholics for their schools. Up to that moment he had no authority for saying that the other regulations would be submitted to. In every particular case, they could not tell how they should direct the application of the public money, without first knowing what regulations would be applicable to them. But they did not think it would be consistent for the Privy Council to alter the mode of applying the money voted, without making special application to Parliament.

Lord BROUGHAM said, the noble Marquess had not answered his question, which was to know the meaning of the word "Scriptures" as used in the Minute, or whether the authorized version were to be the one used. For if, by the word "Scripture," the authorized version were meant, it could not be used in schools to which Roman Catholics were to be admitted, because every one knew that if the authorized version were to be used, no Roman Catholic would allow a child to attend the school any more than he would a school where the doctrine of transubstantiation or any other Catholic doctrine were impugned.

The Earl of RADNOR was understood to ask a question of the noble Marquess regarding certain assertions which he found in a copy of a circular from the Central Committee for promoting the Government scheme of Education relative to some pledge said to have been given by Lord John Russell to present and support (we believe) whatever petitions might be forwarded to his Lordship by the Committee.

The Marquess of LANSDOWNE was entirely ignorant of the circumstance, as he was ignorant of other circulars sent through the country for the purpose of obtaining petitions against the measure—circulars, some of them containing the falsest statements with regard to it. It was well known there were various societies in the kingdom in the habit of circulating statements for particular purposes, in support of the objects they had in view; and it was not extraordinary that if societies on the one side had been in the habit of circulating statements, that societies on the other should follow the same course. Although he knew nothing of what might have passed between the parties alluded to by the noble Earl and Lord John Russell on the subject, he yet was satisfied that Lord John Russell had given no other assurance than that he would, as he (the Marquess of Lansdowne) himself would do and had done, namely, present such petitions to Parliament as he might be entrusted with. He had presented, as their Lordships were aware, petitions on both sides of the question. He was always ready to present such petitions as were sent to him for the purpose, and he had then behind him a large number of petitions which he was about to present to their Lordships against those Minutes of Council, regarding which he had stated to the parties who had entrusted him with them that he was quite as ready to present them as any other. He did not think that Lord John Russell had given anything like the promise or engagement mentioned, with respect to the exclusion either of Roman Catholics or any other religious persuasion. They (the Government) had kept themselves perfectly free and unfettered, to make new Minutes if they should think it necessary. They did not pledge themselves to any sort of restriction.

Lord BROUGHAM wished to know if the word "Scriptures" meant the Douay version as well as the authorized version? He wished to know, was his noble Friend ready to state that the Douay version would be admitted to be used in the schools?

The Marquess of LANSDOWNE was understood to reply, that such a step could not be adopted without reference to Parliament.

At a subsequent part of the evening the noble Marquess having presented petitions for and against the Government plan, the subject was renewed.

Lord BROUGHAM begged to be informed by the noble Marquess, if the word "Scriptures," as used in the former Minute of the 31st of December, 1839, would not be changed? Did his noble Friend mean to say that no change would be made in the provisions of the Minute, without the sanction of Parliament?

The Marquess of LANSDOWNE was understood to reply, that no change would be made in the Minute without submitting it to Parliament.

Lord BROUGHAM said that he wanted to know whether no change would be made without the sanction of Parliament? His noble Friend said, "without submitting it to Parliament," but that made all the difference. He wished to know, was there to be no change made without the sanction of Parliament?

The MARQUESS of LANSDOWNE replied, that the mode in which a grant would be asked for would be this. The vote would be taken year by year, and when the Government asked for the grant they would lay the Minutes of the Committee of Council on Education before Parliament, and explain the manner in which the money would be applied.

LORD BROUGHAM said, that that was satisfactory and unexceptionable, because it gave power to Parliament to see how the money was to be applied.

The MARQUESS of LANSDOWNE said, that before application would be made to Parliament for the grant, the Government would state what the Minutes of Council were.

LORD BROUGHAM suggested, that supposing 50,000*l.* were granted by Parliament after the Minutes of Council had been laid before it, a fresh Minute might be made the day after the vote had passed, and Parliament would have no means of checking it. The Government might thus apply the money as they chose.

The MARQUESS of LANSDOWNE had no hesitation in saying, that under such circumstances the Committee of Privy Council should communicate beforehand to Parliament any alteration they intended to make in the Minutes.

OXFORD AND BIRMINGHAM RAILWAY.

LORD LYNDHURST then called their Lordships' attention to the order which had been made previously to the Easter recess for the appointment of a Select Committee of Inquiry into the dispute between the North-Western and the London and Birmingham Railway Companies relative to the Oxford and Birmingham line. He hoped that the matter would not be allowed to drop, but that the order which had been made would be acted upon without any further day.

LORD REDESDALE said, he was not present on the occasion when this matter was discussed, or he should certainly have opposed the appointment of a Committee for such a purpose. Unless their Lordships were prepared to grant a remedy, they should not have granted this Committee. It was admitted, that a Bill called the Oxford and Birmingham Railway Bill was passed last Session, under which powers were given to the directors to be appointed under it (provided a certain number of shareholders in the company were agreeable to the same) to sell their line to the Great Western Company.

LORD LYNDHURST apprehended that his noble Friend was irregular. An order had been made for the appointment of a Committee to inquire into the abuses complained of; but it was agreed to postpone the inquiry until certain proceedings in the Court of Chancery, which might render the inquiry unnecessary, were disposed of. As the order had been already granted, the only course which remained open for his noble Friend, if he objected to the inquiry, was to give notice of his intention to move on a future day that the order for the Committee be discharged.

LORD REDESDALE certainly intended to make such a Motion. He considered the order for this Committee of Inquiry to be the sanctioning of the most dangerous principle that was ever introduced in the legislation of that House, for it would give no securities to parties that had obtained Acts of Parliament. It would enable Parliament, after they had passed a private Bill, to deliberate whether it would not be expedient for them to put the same Act aside as if it had never been passed.

The LORD CHANCELLOR thought it necessary to state to their Lordships how the matter stood. The question before the Court of Chancery had been previously sent before and decided on by the Vice-Chancellor of England. It was to decide who were now in law to be considered the legal directors of the Oxford and Birmingham Railway Company; whether certain persons were to be considered the legal directors of that company, or certain other persons were to be considered as such. Now, that being the question pending before him (the Lord Chancellor), how far it might be connected with other transactions between other railway companies he had no means of forming an opinion; but if it were alleged to be portion of them in the petition, he should say that their Lordships would not be acting wisely in sending the matter for inquiry before the Committee, whilst the question "Who are the directors?" was pending in a court of law. Their Lordships should be very well able to judge beforehand that the matters were totally disconnected. But as the case before him would, in all probability, be disposed of before the end of the week, their

Lordships would soon have a better opportunity of judging. The questions might be totally and entirely distinct; but he thought their Lordships would do well to be quite sure of it before they engaged in any inquiry.

Lord LYNDHURST contended that the case before the Court of Chancery, arising as it did out of the question, whether four directors should have gone out of office on the 27th of February, had nothing to do with the inquiry before their Lordships. However, if it were their Lordships' pleasure that it should stand over until his noble and learned Friend had become satisfied upon the subject, he (Lord Lyndhurst) would not object.

THE RECENT EXECUTION AT BURY.

The Marquess of WESTMEATH said that he wished to call the attention of the Government to a statement which had appeared in the public newspapers of that morning with respect to the execution of an unfortunate woman at Bury St. Edmunds for poisoning her husband. It stated that 11,000 persons were at the execution, and that it was conducted in such an improper manner that the sufferings of the unfortunate woman were prolonged for a considerable time. The assembly of persons congregated at the execution were so horrified at the proceedings that they cried out "Shame!" and "Murder!" For his own part he believed that the punishment of death could not be expunged from the Statute-book; but he was sure no one would say that the sentence of the law, when passed on those who were consigned to an untimely end, should be performed in such a manner as to lead to such protraction of the pain and sufferings of the person to be executed, through the carelessness or cruelty of the executioner. Some time ago a similar thing took place, and the attention of the Secretary of State was called to it in the other House, who promised that the matter should be looked into, and the recurrence of such a circumstance be prevented. He recollected when he was quartered at Sligo some years ago, an execution took place there from a lofty scaffold, when the rope broke, and the man fell to the ground and broke both his legs; he was, however, picked up and carried up to the scaffold, and was then executed. There was, perhaps, no means of preventing this, as the sentence of the law was specific for his execution; but common attention could prevent the extension of the sufferings of the party to be executed. If the punishment of death must be inflicted, he would recommend that they should adopt the mode used in Germany, or the garotte, as in Spain.

The Marquess of LANSDOWNE was not aware of the circumstances of the case which had appeared in the newspapers; but he was sure that his right hon. Friend the Secretary for the Home Department would cause inquiry to be made into the matter. While he considered, in the present circumstances of the country, that the punishment of death was indispensable for certain aggravated crimes, he felt that the punishment should be effected in such a way as not to cause unnecessary suffering, or to outrage public feeling.

House adjourned.

HOUSE OF COMMONS,

Monday, April 19, 1847.

Minutes.] Public Bills.—2° Service of Heirs (Scotland); Crown Charters (Scotland; Quakers' and Jews' Marriages.

Petitions Presented. By Mr. Ferrand, from Cork, for Alteration in the Church Temporalities (Ireland) Act.—By Mr. Henry Baillie and other hon. Members, from a number of places, against the Marriage (Scotland) Bill.—By Mr. Labouchere, from Waterford, for Abolition of Ministers' Money (Ireland).—By Sir H. Inglis and Mr. W. Miles, from Dorset and other places, against the Roman Catholic Relief Bill.—By Mr. R. Scott and Mr. Walker, from Stourbridge and Lancaster, in favour of the Roman Catholic Relief Bill.—By Viscount Sandon, from China, for Protection to British Subjects in China.—By Mr. C. Buller and Mr. S. O'Brien, from Cornwall and Brigstock, against the Use of Grain in Breweries and Distilleries.—By Sir C. Lemon, from Cornwall, in favour of the Rating of Tenements (No. 2) Bill.—By Sir R. Peel, from Birmingham, for Repeal of Duties on Tea, Sugar, and Coffee.—By a great number of hon. Members, from an immense number of places, against the Proposed Plan of Education.—By Mr. Acland, and a number of other hon. Members, in favour of the Proposed Plan of Education.—By Mr. E. Denison, from Yorkshire, for Alteration of Proposed Plan of Education.—By Sir John Hobhouse, from Nottingham, against the Hosiery Manufacture Bill.—By Mr. Hudson, from Sunderland, against the Repeal of the Navigation Laws.—By Mr. Scott, from Stafford, for Alteration in the Poor Law.—By Mr. S. O'Brien, from Stanwick, for an efficient Law relating to the Poor (Ireland).—By Mr. Christopher, from Lincoln, for Repeal or Alteration of the Poor Removal Act.—By Lord John Russell, from Cork, against the Introduction of a certain Clause in the Poor Relief (Ireland) Bill.—By Mr. Balfour and Sir W. James, from Dunbar and Kingston-upon-Hull, in favour of the Ports, Harbours, &c. Bill (1846).—By Mr. Protheroe, from Halifax, for Suppression of Promiscuous Intercourse.—By Mr. Williams, from Dublin and London, for Inquiry into the Public Works (Ireland) Bill.—By Mr. Baillie, and other hon. Members, from several places, against the Registering Births &c. (Scotland) Bill.—By Mr. Fox Maule, in favour of the Registering Births, &c. (Scotland) Bill.—By Mr. H. Baillie and other hon. Members, from several places, against the Registering Births (Scotland) Bill, and Marriage (Scotland) Bill.—By Mr. H. Johnstone, and other hon. Members, from several places, for Compensation respecting the Registering Births, &c. (Scotland) Bill, and Marriage (Scotland) Bill.—By Mr. Barclay, and other

hon. Members, from several places, for Alteration of the Law of Settlement.—By Lord J. Russell, from a Meeting held at the Hall of Commerce, London, for referring Disputes to Arbitration.

THE WESLEYANS—EDUCATION.

Sir B. HALL felt it his duty to state to the House, that for some time past a rumour had prevailed that an arrangement had been entered into between the Government and the Wesleyan body, the object of which was to set aside the opposition which the Wesleyan body had intended to offer to the Government scheme of education. He thought that the best course he could take would be to read to the House the statement which had been put forth in the Conservative organ of the Wesleyans. But first, he should observe, it was rumoured that the Government had made official but private overtures to the Wesleyan leaders in London, who obtained from the Government the following concessions:—1. Government exhibitions to be made only to schools which used the authorized version of the Scriptures; 2. The Wesleyans to be permitted to use their own catechism in their schools; 3. The inspectors of Wesleyan schools to be Wesleyans. The *Watchman*, the organ of the Conservative party of the Wesleyans, said—

> "We give an account of the important imformation communicated to the Wesleyan committees from a high source, and communicated, we desire to repeat most emphatically, without any solicitation or negotiation on their part. Under these totally altered circumstances it was judged expedient to open a direct intercourse with the Committee of Council, that there might be no misunderstanding on either side. The decided objections felt by the Wesleyan committees to the Minutes of Council were stated in strong, though respectful and temperate language. An official reply was received, which contained explanations so extensive in their bearings as to present the measure in a new aspect altogether, and, we feel bound to say, to remove in a great degree some of the most grave and insuperable objections which, as consistent Wesleyans, the committees urged."

Now, he wished to know whether it were correct that the negotiations with the Wesleyan committees were first opened by the Government or any person authorized by the Government? whether it were true that concessions had been made to the Wesleyans to the effect that no Government exhibitions shall be made to schools where the authorized version of the Scriptures is not used? that the inspectors of Wesleyan schools shall be appointed only from the Wesleyan body? and whether it was intended that Roman Catholics were to participate in the present grant, or to be excluded from it? and if they were to be excluded from the present grant, whether the Committee of the Council of Education had it in contemplation to make any proposition by which Roman Catholics would have the same advantages as those given to Church of England and Dissenting schools; and, if so, when any such proposition was likely to be made to Parliament? Also, whether there would be any objection to lay before Parliament copies of all correspondence and communications that had passed between the Government, or persons authorized by the Government, and the Wesleyan body of Dissenters and the Roman Catholic Bishops?

Lord J. RUSSELL: In answer to the questions of my hon. Friend, I will first of all state that communications with the Wesleyan body were, so far as I know, not begun by any person authorized on the part of the Government. A noble Friend of mine, whose name, although I have no authority to mention it, I may fairly state to the House, Lord Ashley, understood from some of the Wesleyan body that they were about to enter into resolutions describing the character of the Minutes of Council in a way which he thought was not in truth applicable to them; he told them that they had better wait, and he would communicate with Lord Lansdowne on the subject, through the Secretary to the Committee of Council, in order to obtain some explanation as to whether the construction they had put on the Minutes was the correct sense or no. The Secretary to the Committee of Council came to Lord Lansdowne and myself, and asked for our directions on the subject. We said, we should have no hesitation in answering any questions the Wesleyan body chose to put, and which might guide them to a correct understanding with respect to these Minutes. I know not, Sir, that there is any blame attributable to us for giving a reply to the questions so put. One of their questions not mentioned by my hon. Friend was, whether persons who held ecclesiastical functions would be eligible to the office of pupil-teachers? and the answer we gave was, that we considered persons holding ecclesiastical titles or exercising ecclesiastical functions not eligible as pupil-teachers. Another question was, whether the authorized version of the Scriptures would be used in the schools? Upon this subject, we informed them that there was a resolution of the Committee of Council, on the 3rd of December, 1839, in which, referring to previous resolutions, it said, that the cases in which it would give assistance to schools would be those

> —"in which competent provision will be made for the instruction of the children in the schools, the daily reading of a portion of the Scriptures forming part of such instruction."

The House is aware of the former resolution; the Votes of Parliament authorized the Committee to give aid to schools connected with the National Society and the British and Foreign School Society, in both of which the authorized version of the Scripture is used; and in using these words, "the daily reading of a portion of the Scriptures," it was understood at the time—and I do not know that there has been any different understanding since—that the authorized version of the Scriptures should be used. I perfectly remember that in 1839 there was another plan which was proposed by the Committee of Council, in which it was intended that the Roman Catholic schools should be allowed to use the Douay version of the Bible, and so intending the Committee of Council expressly so stated, that the public might know such was their intention; therefore if they had intended to do the same thing on the 3rd of December, they would have stated so as expressly as they did on the previous occasion. The next question was, whether the inspectors of Wesleyan schools would be appointed, not from the Wesleyan body, but with the concurrence of the Wesleyan body? The Wesleyans stated that they had hitherto received their assistance through the British and Foreign School Society; that it would be far more agreeable to their feelings and the constitution of their society if the Committee of Education of the Wesleyan body were recognized directly; and that the Committee of Education of the Wesleyan body should have the same power of expressing their opinion—their concurrence being asked before an inspector were appointed to their schools—which the British and Foreign School Society now enjoys in consequence of the letter of Lord Wharncliffe. To that proposition we said we should not object. We should be ready to place before them the name of the person who was intended to inspect their schools, and that he should be appointed with their concurrence. With regard to the exclusion of Roman Catholics, there was no question with the Wesleyan body. As I have stated, the rule which was laid down in 1839 has, I believe, been followed ever since. I do not know that there have been any grants to Roman Catholic schools, exclusively as such. There may have been grants to schools where the authorized version was used, and where Roman Catholics attended; but I do not believe there have been any grants to Roman Catholic schools expressly as such. We have made no alteration in that respect. When it shall have been brought before us—when the Roman Catholic bishops shall have expressed their views on the subject—then will be the time to consider in what manner we can give the advantage of any of the public grants to Roman Catholic schools. I think there are considerable difficulties in the question, arising from the fact that many of these schools being conducted by persons in holy orders, and Protestant children attending them, the Roman Catholic version of the Scriptures only being read, they might be used as a means of proselytism. There are other difficulties attending the subject; for my own part, I trust that when those difficulties come to be considered, we shall be able to propose grants to Roman Catholic schools as well as others. But with respect to the grant of the present year, we do not propose that any part of the 100,000*l.* we shall now proceed to ask from the House, should be applied to these Roman Catholic schools. If we are able to form a Minute which shall appear to us satisfactory on this subject, we shall either propose some additional grant in the course of the miscellaneous estimates, or reserve the subject for the grants of education proposed in another year. As I have stated, from 1839 down to the present time, no grants have been given to Roman Catholic schools, as such, and at present we make no change on the subject. Having given this reply to the questions put by my hon. Friend, I will now, Sir, propose to this House to read the Order of the Day, with a view to resolve itself into a Committee on the subject of the Vote for Education.

SUPPLY—GOVERNMENT PLAN OF EDUCATION.

LORD JOHN RUSSELL then continued: The House, I am sure, will not be surprised that I should ask for their indulgence, while I endeavour, without any undue trespass on their attention, to clear this subject of some part of the exaggeration and misrepresentation with which it has been clogged; and, Sir, I have that confidence in the judgment and fairness of this House, that I feel sure they will not be the less disposed to give me an impartial hearing on the subject on account of the attempts that have been made to overawe the deliberations and votes of this House by resolutions come to elsewhere—by summoning Members of this House to attend meetings to answer for their conduct—and requiring them to vote against this proposition, whatever might be the merits of the case which was brought forward. That, Sir, has been done by those who say that they come to protest against an irresponsible power. That has been done by those who endeavour to show that the body which is to have the management of this grant is unconstitutional, and that a grant made from year to year—made by the House of Commons—placed in the hands of Ministers of the Crown removable at the pleasure of the Sovereign, and who cannot hold office any longer than they have the support of this House—as a means of devoting money to the education of the people—is an unconstitutional mode of proceeding. Talk of responsibility, indeed! How much more must we be responsible, holding this power on such a tenure, than those who have collected together from various parts of the country, who are not responsible to any one, and who have told Members of this House that they will raise such opposition at future elections that they shall no longer have the honour of seats in this House if they decide according to their fair and impartial judgment upon the question that is now to be brought before them? I say, Sir, I trust entirely to the judgment and the impartiality of this House, and that they will not allow these attempts at exaggeration and misrepresentation to hide from them the real facts of the case. Sir, it is well known that the education of the people, the education of the working classes, especially, forms no part of the duty either of the Government, or, nationally speaking, of the Church of this country. The whole task of education has been left, till of late years, to voluntary efforts. In 1784 an individual, Mr. Raikes, first raised subscriptions for the purpose of establishing Sunday schools, and was thus the means of diffusing a great amount of knowledge among the younger portion of the community. In the beginning of this century, when Mr. Lancaster came to this country, it was entirely by the efforts of individuals that the British and Foreign School Society was established, with the support and countenance of the King then upon the Throne, but without any grant or aid on the part of the Government. So, likewise, when those schools were succeeded by the National schools on the plan of Dr. Bell, although the clergy took a great part in the establishment of those schools, it was done entirely with the money of individuals, of the clergy and the laity, and was in no way countenanced or assisted by the State. In the year 1832 or 1833 a vote was proposed in this House for a very limited amount, not exceeding 10,000*l.* or 20,000*l.*, for the purpose of aiding the education of the working classes. That sum was given by the direction of the Treasury—as it had been stated that it was intended it should be given—to the National Society, which was composed of members of the Church of England, and to the British and Foreign School Society, which had no other rule but that of reading the Scriptures daily in its schools, and which consisted, not of Churchmen only, but of Churchmen and Protestant Dissenters of all denominations. In this shape, Sir, the matter continued till 1839, when it was proposed to form a Committee of Council; and that the sums which had hitherto been granted by the Treasury to the different societies should thereafter pass through that Committee of Council—that, instead of these matters being in the hands of the whole Council, or solely of the Treasury, both of whom were likely to be occupied with other concerns, there should be formed a Committee of Council by order of Her Majesty, whose attention should be expressly devoted to this particular subject. The Lord President of the Council for the time being was placed at the head of that Committee; and he has taken charge, at all times, whether under the late Government or the present, of this particular matter of distributing the grants for education; and has brought before the Committee of Council, from time to time, such rules as he thought useful provisions for that purpose. The appointment of the Committee of Council, in the first instance, gave rise to great difference of opinion in the country, and to very protracted and vehement discussions in this House. The Archbishop of Canterbury, in the other House of Parliament, protested against the formation of the Committee, and against any scheme of education that was not made the subject of a Bill brought before Parliament. It was evident for some time that the efforts of the Committee of Council, on the one hand, and those of the Church on the other, would be very much weakened by those differences of opinion, and that the endeavours of neither would be so successful as otherwise they might be. The question was in this shape when it was proposed that the inspectors of the National schools should be inspectors appointed with the concurrence of the Archbishop of Canterbury in the province of Canterbury, and of the Archbishop of York in the province of York; and that these inspectors, while they reported to the Committee of Council generally, as to the secular education in the schools, should also report as to the nature of the religious education given in the schools according to the liturgy of the Church of England; and that duplicates of those reports as to the religious instruction should at all times be sent to the Archbishops. It was further proposed, that if they withheld in the first instance their concurrence as to any person appointed to be inspector, or if they should afterwards signify that they would no longer concur in his performance of his functions, in that case his appointment should cease, and the Committee should proceed to name some person to whom the Archbishops had no objection. Sir, such was the state of the question when the right hon. Gentleman opposite, the Member for Tamworth, came into office. No change was then made as to the appointment of the Committee of Council. The persons, of course, were changed; those who had been Ministers of the Crown immediately ceased to be members of the Committee of Council; and the right hon. Gentleman opposite, Lord Stanley, and Sir J. Graham, were appointed members of that Committee; Lord Wharncliffe, as the new President of the Council, being at the head of that Committee. I have had more than once conversation with the late Lord Wharncliffe on this subject. Being connected, as I always have been, with the British and Foreign School Society, he consulted me from time to time as to what should be the relation between the Committee of Council and that society. A proposition of the former Government which was left to him to be carried out was, that 5,000*l.* should be granted for the purposes of the normal schools of the British and Foreign School Society; and I, in communication with them, advised them to accept that grant. Subsequently Lord Wharncliffe informed the secretary of that society that he should adopt, so far as the appointment of inspectors was concerned, the same rule that had been adopted with the National Society, and that he should not appoint any inspector for their schools without their concurrence. The inspectors of the schools connected with the British and Foreign Society did not, however, according to their constitution, conduct any examination as to the religious instruction given in those schools. They only took the declaration of the local managers of the schools that the Scriptures were daily read there, and that they were satisfied with the religious instruction given. Sir, the grants continued to be made in this form, and various grants for normal schools; and the sum each year was from time to time increased, till, in the last year it reached the amount of 100,000*l.* That sum was, I believe, agreed to without any discussion of importance taking place. When, however, we came, being newly appointed members of the Committee, to consider the state of education, it appeared to us that a very great number of schools had been built, and that there was no longer such a demand as there had been for money to build schools; and that as various deficiencies in the management and conduct of the schools had been observed, it would be advisable to make minutes, proposing a different distribution of the sum which might be voted by Parliament; and laying down in those minutes what the application of that sum should be. Accordingly, this was proposed; and the estimate for the present year contains what I believe was never presented to Parliament before, namely, a detailed estimate of the probable proportions of the various sums for different purposes for which the money granted by the House is to be advanced. One object was to improve the inspection of schools. The inspection of schools, although the number of inspectors had been increased, was not extensive enough to allow of an inspection of each school once every year; it was therefore proposed that the number of inspectors should be increased, in order to make the inspection more complete. Another object it was proposed to consider was the payment of some of the boys in the better-managed schools, so as to enable them to remain at those schools a longer time than had hitherto been customary. It had been a complaint very general on the part of all those who had taken an interest in education, whether they belonged to the Church or to the British and Foreign

Society or any body of Dissenters, that that system of monitors established by Lancaster and Bell did not answer satisfactorily, on account of the early age at which children left school; so that a boy who had only had a year's education himself was a very unfit person to teach well, and give a thorough comprehension of what he had learned to other boys in the school. It was therefore proposed that a certain sum should be allotted to schools which were reported by the inspectors to be well managed, for the purpose of inducing boys to remain some years in the school, in order to become assistant-teachers in those schools. It was also proposed that where masters gave their time to training these future teachers, and rendering them efficient, a certain money allowance should be made to those masters for so doing. It was proposed as to some of the schools in which there were monitors, and in which pupil-teachers were not likely to be established at once, that those monitors should receive a sum of money each year, and thus become stipendiary monitors of schools; and, further, that there should be an allowance to masters to teach and train such stipendiary monitors. It was also proposed that, for the improvement of normal schools, and for the better instruction of those who resorted to them, that a sum of money should be granted to pay for those pupils who were most promising and were recommended by the inspectors of schools, as well as the local conductors, for the purpose of being trained in those normal schools. Further, that there should be an augmentation in the salaries of masters of schools who had been trained and had certificates of efficiency; also that there should be a sum of money allowed for the establishment of workshops in connexion with the schools in towns, and for the purpose of purchasing a piece of land in agricultural districts, where the scholars might learn some actual means of subsequently gaining a livelihood—a part of the general plan of education which had been much recommended by those who had studied the subject. Sir, it has always been my view that you never could effectually raise education in this country till you raised the condition and prospects of the schoolmaster; that view I have often expressed in this House. Whether I have been in or out of office, I have always thought that the drudgery of teaching without a sufficient reward, and with no prospect of future advantage, was such that men of talents and abilities, even although trained to it, could not but leave such a pursuit in great numbers for other and more profitable occupations; and this is not only my view, but one which I have found confirmed by all who are practically connected with the working of education. I have heard complaints without number that, after the training had been carried to a certain extent, and the schoolmasters established, the best of them, seeing what were the rewards offered in this country to persons of intelligence and well instructed, soon found other occupations far more valuable than that of teaching. This, Sir, I consider to be a great misfortune. No profession, in my opinion, is more important than that of training the youth of the working classes of this country; nor is it possible to conceive any greater difference between two classes of persons than that which exists between the schoolmaster who is either incompetent or unwilling to perform his duties, and he who displays both zeal and abilities in his calling. In the former instance, you will find that the schoolmaster teaches the children by rote—that they learn perhaps to read fluently, but that they have no apprehension of what they read—that they are utterly at a loss to explain what a moment before they had read. You observe, also, that they have a great dislike to attendance at school; and while some of them, owing perhaps to their own quickness, distinguish themselves, a great number, perhaps the great majority, go out of school nearly as uninstructed as when they went in. With a good schoolmaster the state of things is different. Not only do the boys read well, but they look also to the sense of what they read; whether it be history, or grammar, or the Scriptures, they are equally quick; if an explanation is required, they follow with interest and eagerness the instruction of the master, and what they have learned makes an impression on them. They not only read well mechanically, but also their minds, and hearts, and affections, are touched through their understandings. You find, likewise, in such schools the master watches closely the moral disposition of the children. He sees those who are sluggish, and endeavours to awake their interest; of the petulant and the forward he checks the presumption; and he takes care that those of slower intellect shall be brought up in a competent knowledge of that which is the business of the school; so that, at all events, none shall leave without a considerable degree of instruction. Now, if I have rightly represented the difference between the good schoolmaster and the bad one, I ask the House with confidence, whether it be not most important that the schoolmasters, to whom we intrust a task which it is so necessary they should discharge efficiently, should be able to look forward to some reward and emolument, not perhaps commensurate—for nothing can be commensurate in such cases—but more so than their reward is now, to the great and responsible duties they have to perform, and the importance of the situation they hold in life? With a view then to these considerations, there is a proposition—on account of which no money will be required in the present year; but on account of which, in future years, if the grant should be continued, some may be called for—to provide retiring pensions for schoolmasters who may work themselves out in the service, and who, after performing the important duties I have referred to, might find themselves at an advanced age with no provision for the future, and with scarcely bread to eat. And, Sir, I must say, I do not feel that for having proposed this improved quality of teaching, and this attempt to improve the condition and character of the schoolmaster, we are deserving of those denunciations and threats which have been poured so plentifully on our heads. I feel, on the contrary, that the most natural observation would have been—as, indeed, it was, at the moment when the Minutes were first known—"Is this all? Are you doing nothing more? It is all very well. So far as it goes, your object is good; but your plan is not equal to the immensity of the evil, and a larger and greater plan ought to be proposed." But, Sir, whatever may be the answer to that observation, I do feel that this plan which we have proposed has raised a question of the greatest importance among the public; and that the objections which have been stated do affect so widely the whole question of education that I cannot omit this opportunity of taking some notice of the more prominent of those objections. I have said, that, with respect to many parts of this subject, we have not made any alteration from that which has been settled in former years, and which has been often agreed to by Parliament. For instance, as to what has been called the unconstitutional nature of the body to whom the grant has been intrusted, I should have thought it was clear that nothing could be more constitutional than for the Minister of the Crown to ask money for certain purposes, to explain the manner in which it would be spent, and to depend on the vote of the House of Commons whether or no it should be granted. And I should have thought that there would have been still less question as to the character of the Committee of the Privy Council, when it is remembered that since 1839, when there was a very great and protracted dissussion on the subject, up to the present day, that question has hardly been mooted; and that, whether under one Government or another, from 1840 up to the present time, the votes by which the money for these purposes has been granted have passed with very little disscussion, and that, with hardly any objection on the part of this House, that money has been intrusted to the Committee of the Privy Council. And if there was no reason to expect that such an objection would be raised at all, least of all could it have been expected from those who have raised it; because it does so happen—and the journals of this House bear evidence of the fact—that the Dissenters of the various denominations, the Dissenting ministers of London and of various bodies of Dissenters through the country, applauded the Government in 1839 for allowing the subject of education to be entrusted to the Committee of Council, and supported the Government of that day in that proposition. I trust, therefore, Sir, that the objection to the Committee of Council which was raised in 1839, and given up in 1840, will not now be again considered formidable, and will not be brought to bear against any vote for the assistance of education. Sir, another objection has been stated, which no doubt goes to the whole foundation of this grant, and, indeed, a great deal further; it is one that would go to the foundation of many other grants. It is said to be altogether a mistake for the State to give any assistance whatever in support of education. It is said, that, while no doubt it is the business of the Government to repress crime, to imprison, transport, to execute capitally, if necessary, those who commit crimes, yet, that the State has no business whatever with the education of the people; that the State has nothing to do with endeavouring, so far as may be thought proper, to strive at deterring the young by education from the commission, in their after life, of those crimes which would bring on them the penalty of the law. Sir, this argument, if carried to its full extent—and, as far as I can see, it is intended to carry it to its full extent—would go very far indeed, not only to overthrow this grant, and that which is next to it in the estimates, namely, the grant for education in Ireland, but also various grants to Ministers of various denominations—the *Regium Donum* in Ireland, the assistance given to ministers of the Church of Scotland, and any monies granted for the purpose of teaching or of assisting schools in connexion with churches and chapels. It appears to me that it is intended to found on this argument, if conceded, that all support of education or religion by Parliament is altogether erroneous, and that the voluntary system ought to be the only one pursued with either religion or education. I am not going to discuss that larger question now; and it is unnecessary that I should at this time and on this occasion do other than point out to the House the deduction intended to be drawn from these premises. I believe it is intended that those who use it might afterwards say, if this grant should be refused upon that ground, " why that at least was not an unfair plan—that was a plan which gave assistance to Church schools, but likewise to Dissenting schools ; it gave assistance to education carried on both by the National Society, and by the British and Foreign School Society; but if that plan, fair and equitable as it was, was rejected on the ground of being an interference with teaching, how can we support a monopoly of teaching in the hands of one body which is called the Established Church of this country ?" It is impossible not to foresee that this argument would have been used; but I am sure, with this important question before me, it is not necessary for me to do more than to point out that such deductions are intended to be drawn if this argument be admitted. But, Sir, it is also said that there is sufficient already done for education in this country; that there is no need of further assistance in this respect ; and that the people of England are already so educated—or, if not so completely educated, are on the way to be so educated—that it will be a superfluous care on the part of the Legislature to lend assistance to a cause already so prosperous. Sir, I wish I could believe that representation. I wish I could believe that voluntary efforts in this country have done so much—that the education of the people is so complete that we need not trouble ourselves here with a matter so doubtful and so difficult, and which cannot be touched without offending persons of opposite religious persuasions. But, Sir, I lament to say that the case is far otherwise. I shall not attempt to go into the minute statistics that many writers have gone into on this subject; but I am sure that those Members of this House who have paid attention to this question, who have read the pamphlets on this subject, or, what is still better, have attended to the evidence which is supplied by their own neighbourhoods—I am sure they must see that the education of the people of this country is still lamentably deficient. On this subject I will take the statement of one of the opponents of the Government scheme. I regret that he should be one of its opponents, because I am aware of his zeal, his learning, and his piety. Dr. Vaughan, in an article on this subject in the *British Quarterly Review*, which has since been republished with his name, says—

> " That of the population between the ages of five and fifteen, in the larger and lesser towns of England, taken together, the proportion, from the whole population, found in day-schools, at any one time, would be somewhat less than one-third; that about an equal number would be found receiving Sunday-school instruction only; and that the remaining number, consisting of greatly more than a third of the whole, must be reckoned as not found in any school whatever, day-school, evening-school, or Sunday-school. So that reckoning the total population of the two countries at 14,400,000, and the one-fourth between four and fourteen as 3,600,000, of this latter number something less than a third were found in day-schools, considerably less than a third in Sunday-schools only, and nearly 1,500,000 in no school whatever. It may be said to be unreasonable to expect that the education of the people of this country should extend over a period of ten years. Be it so. Let the space be reduced over one-half. This would give twice 1,200,000 instead of once that number; but even this would leave you nearly 1,250,000 souls to be thrown upon society every ten years, who have never had a place in any day-school."

Sir, the statements made by members of the Church of England, by Dr. Hook, by the Rev. Mr. Burgess, and various clergymen who have written on this subject, and who, without naming them, I may say have shown a great understanding of this subject, are all to the same effect. They give various examples of the number of children attending schools; and all their statements are in opposition to the statements made by Mr. Baines, and prove that the education of this country is extremely deficient. But the proof of this does not rest solely on the calculations of these writers, although made by statistical societies with very great minuteness. It is found, also, in the persons who come before the registrars of marriage, and with respect to others who come under the operation of the Registration Acts. The returns furnished by the Registrar General show, that with regard to men, forty out of every 100 who are married cannot write their names, and thirty out of every 100 cannot read. This, Sir, is, I think, an immense proportion, when it is considered that the schools of the National and Lancastrian societies have been established, the Lancastrian upwards of forty years, and the National schools not very much less, and that voluntary education has been during the whole of that time doing its utmost to overturn and subdue the ignorance that has prevailed. But, Sir, every one must have seen in many other documents of various kinds, statements with respect to the gross ignorance in which a great portion of the youth of this country are with respect to the duties of religion, and with respect also to every kind of secular learning. We have the reports of assistant commissioners—of voluntary missionaries, who have gone forth to examine the state of persons living in particular districts, and who state that there are great numbers who have no knowledge of a religious kind; who are not in the habit of attending any place of worship; and to whom the names of God and of Christ are either unknown or unconnected with any sentiment of religious devotion. Many years ago I referred upon this subject to statements made by a rev. gentleman, the chaplain of the Preston House of Correction (the Rev. Mr. Clay), who has taken great pains to inquire into the condition of the prisoners who have been brought into that place of confinement. The statements made by this gentleman must convince every one who doubts whether the people of this country are sufficiently educated. He says—

> "Let me present a short summary of three years' observation—hard, naked statistics, which I will clothe in but little commentary. During the period I name, the performance of my duty has brought me into contact with 1,733 men and boys, and 387 women and girls, altogether unable to read; with 1,301 men and boys, and 287 women and girls, who knew not the name of the reigning Sovereign; with 1,290 men and boys, and 293 women and girls, so incapable of receiving moral or religious instruction, that to speak to them of 'virtue,' 'vice,' 'iniquity,' or 'holiness,' was to speak to them in an unknown tongue; and with 1,120 men and boys, and 257 women and girls, so destitute of the merest rudiments of Christian knowledge, so untaught in religious forms and practice, that they knew not the name of Him who died for their sins, nor could they utter a prayer to their Father in heaven."

He goes on to say that, with respect to many of those who had received school instruction, no ideas were attached by them to what they had learned. For instance, having read about the marriage at Cana in Galilee, it appeared that the word "marriage" was totally unintelligible to them. With respect to the education of the male prisoners, Mr. Clay gives the following table:—

> "Unable to read, 104; read only, 41; read and write ill, 79; read and write well, 2; superior education, none."

Then, with respect to religious knowledge, we find—

> "Ignorant of the Saviour's name, and unable to repeat the Lord's Prayer, 58; knowing the Saviour's name, and able to repeat the Lord's Prayer more or less imperfectly, 136; acquainted with the elementary truths of religion, 31; possessing that general knowledge level to the capacities of the uneducated, 1; familiar with the Scriptures, and well instructed, none."

In another table, he gives the secular knowledge possessed by the male prisoners:—

> "Unable to name the months of the year, 90; ignorant of the name of the reigning Sovereign, 104; ignorant of the words 'virtue,' 'vice,' &c, 88; unable to count a hundred, 7."

There are statements of the same kind, all leading to the same melancholy conclusion, that those who are brought to this prison, in a county remarkable for its wealth, and fully equal to other counties in the number of its schools and its means of education—that in this county the persons brought before the criminal tribunals and sentenced to punishment, are in a lamentable and degraded state of ignorance. Sir, I confess that it appears to me to be a very shocking thing that where you give instruction, you never give that instruction until criminals have arrived at this point—until criminals are sent to gaol, after they have committed a crime. There are many letters in this report, such as we have seen in other reports, written by persons who had been in prison, and who afterwards conducted themselves respectably, and earned their livelihood honestly; and those persons blessed the day when they entered a prison, where they first obtained religious and secular knowledge, and learned to conduct themselves as Christian men, and as worthy of the people of a free country. Is it not, then, desirable that before such persons reach the state which consigns them to a prison — while they are yet young, and at a period when impressions are most effectually to be made upon their minds—before they become familiar with the haunts of vice—that the State should afford them that religious instruction which is necessary for them, and that secular knowledge which is indispensable to them in their pursuits in life? One of the ablest opponents of this proposition was recently speaking against it at a public meeting in this metropolis, and on that occasion some one in the body of the meeting put into his hand the following question, which he gave in writing: "Is it not better to put a sign-post at the beginning of a man's life, than a gibbet at the end of it?" I will not, however, omit the remark made on that occasion by the speaker, the Rev. Mr. Burnet, who asked, with a readiness which he so well can command, "What if the sign-post should lead to the gibbet?" I admit that it was a clever answer, and one well calculated to catch the meeting; but I must remark that there is nothing in the plan which I propose, and which is laid before the House in full—a plan calling upon the House to agree to the laying out of money for the purpose of aiding the schools of the Established Church, of the schools of the Dissenting congregations, of the British and Foreign Schools, and of the Wesleyans—which could justify any man in saying that the education which is to be aided and encouraged by the proposal, is such as could lead to the gibbet. Another remark has been made with respect to the proposed plan, and it is such a remark as I was sorry to observe was made by a gentleman who has taken a great part in the discussions on this subject, feeling as I do, and as I am sure the House will feel, that it is incumbent on us, while we punish by our laws those who are engaged in the commission of crime, we should also take measures to deter the young from following a similar course. The statement to which I allude is to this effect:—

> "In all communities, and especially in large cities and towns, there are sinks of iniquity, into which all the sores and all the filth of society naturally run and empty themselves—where squalid poverty, heathenish ignorance, and brutal sensuality are found in dreadful combination. Here vice runs for indulgence, crime for shelter, vagrancy for a halting-place, and shame, ruin, and misfortune, to hide their heads. Sometimes these places are found in contiguity with wealth, rapid improvement, and even with the highest religious advantages. On such places as these I have two remarks to make: first, that they must be almost left out of the account in any estimate of the sufficiency of the means of education, because the classes herding there would not, and in their present state could not, make any use of such provision, be it as abundant as it might. But my present object in mentioning the subject has been to show the deduction that must be made from the whole population in our estimate of the want of schools, and of the power of the people themselves to overtake that want."

The force of that passage is, that there is a certain class of the people who are found in connexion with vice and crime—who are found in connexion with great ignorance and brutal sensuality—and that in that condition they must be left. For them the means of education are not to be provided; in our calculation of the education which our population require, their names are to be omitted; for them there is to be imprisonment, transportation, and the gallows; but those milder and softer means which are afforded by religion showing her sacred front to them in the days of their youth; by schoolmasters imparting to them the knowledge by which their industry may be made available, and their future lives may be made advantageous to the country—that this knowledge is to be concealed or withheld from them, and that they are to be left in hopeless and helpless misery. Sir, to such a proposition I can never assent. At such a proposition, coming from a gentleman of great intelligence, and belonging to a denomination who have been as liberal of their money, their time, and their toil on behalf of education as any other in this country, I am indeed astonished. It shows me to what arguments men are obliged to have recourse when they oppose a scheme which holds out the hope of education for those unfortunate classes. Sir, I am not supposing that temptations may not sometimes succeed in overcoming the virtue of the lower classes of society; that sensual indulgence and riotous excesses may not lead them into the paths of crime. But still the number may be diminished; it may be restricted by showing them the paths of duty, and withholding from them none of the advantages which point to education. Many may be rescued from the haunts of crime; and if our attempts do not meet with that success which we hope will attend them, still, if only one-fourth of these unhappy beings are rescued, we shall feel, at all events, that we have performed the duty which was incumbent upon us. We shall, with a better conscience, and more satisfaction, observe the working of our criminal law, and the punishments which it inflicts; and we shall be able to say—"We have afforded you the knowledge that would have conducted you to respectability, and it is not our fault that you find yourselves at the bar as criminals." Such, Sir, are the more general objections which are made to our attempt to extend the education of the people. There are, however, other objections—other and more specific objections—with respect to the particular plan now before the House; and with regard to some of these objections, I am obliged to say that I believe there is great force in those objections. But we have proposed that which on the whole we believe to be the most practical plan, that which we think will be the most generally accepted by the schools; and, if we have not done more and better, it is in consideration that the ground is, to a great degree, preoccupied by the various religious societies which have devoted themselves to education, and have established a system of their own. This consideration is one of the utmost importance. Sir, I cannot but think it desirable that at the commencement of the present century, instead of the various religious parties taking up separate schemes, they had made serious attempts to unite, in the same schools, the various classes of Churchmen and Dissenters. I do not say how that could have been done. For my own part, being a member of the British and Foreign School Society, I should have been glad if the proposal made by the late Duke of Kent in his letter to the Archbishop of Canterbury had been adopted—that all should meet on the ground of the daily reading of the Bible, and that religious instruction should be given at different hours to the children of different persuasions. That proposal, I think, would have led to a united education. Others have been of opinion that the Dissenters have been too scrupulous in their objections to the teaching of the liturgy and the catechism. But, Sir, whatever opinions may be entertained on this subject, what we have to deal with is that a great amount of schools exists, and that a great amount of money likewise is given from year to year in support of schools already established. The first of these societies, in point of numbers and amount, is the National Society, in connexion with the Church of England. They profess that, in their schools, there are more than 900,000 children; their funds are of a very large amount; and their rule is, that in all their schools the liturgy and catechism of the Church of England shall be taught. They did likewise insist that all children educated in their schools should attend the Established Church on the Sunday; but they have now relaxed that rule, and they leave it to the managers of the schools to form their own determination on the subject. But, with regard to their other rule, we had to consider whether, in 1839, or at the present time, we should attempt to spread over the country some general system which did not agree either with that of the National Society, or of the British and Foreign School Society, or with the systems adopted by the different Dissenting sects, but which, in our opinion, was preferable to any of them. I say that it would have been very unwise to make such an attempt, either in 1839 or at the present time. I believe that such an attempt, practically, would have had the effect of causing great divisions; that it would have ended in a failure; and that by such a step we should not have advanced, but rather have retarded education. We said, then, in 1839, with regard to the Church schools, that they should be conducted according to the views of their managers, and that we would not interfere with the religious instruction of those schools further than by consenting to the proposition made by the heads of the Church, that the inspectors appointed by the Committee of Privy Council, in concurrence with the Archbishops, should visit such schools, and report as to the degree of religious instruction afforded in them. With regard to other schools, we stated that we should not make any inquiry at all as to the religious instruction given in them; that we should not interfere with reference to that religious instruction; but, with regard to the secular part of their instruction, we required the inspectors to report upon the efficiency of the schools. Now, the rule which was adopted in 1839 with respect to the building of schools, we adopt now with respect to the education of these pupil-teachers and stipendiary monitors. In the Church schools we require them to be examined by the inspectors in the Bible, in the Church catechism, and in the liturgy. In those schools not connected with the Church of England, we have no examination of the kind, but we confine the examination to secular branches of learning, only requiring that the child shall be kept in a respectable household, and that the managers of the schools shall be satisfied with his religious attainments. It seems to me exceedingly strange that there are some persons who, agreeing with me in what I have hitherto stated—agreeing with me that education ought to receive some assistance by grants of public money—agreeing with me that it is not enough to say that voluntary exertion shall be made—agreeing with me that the state of crime calls for some effort on the part of Parliament—yet say that these rules contain such a violation of the liberty of conscience, that they cannot partake of any grants under such a system. Yet, these are the same parties—as far as I understand it—who, since 1839, have consented that schools should be built in connexion with the Church of England, which have received a large proportion of the public money voted for this purpose, they knowing that the liturgy and catechism would be taught in those schools, and that the inspectors would inquire into the religious attainments of the children in the Church of England liturgy and formularies. I own I cannot myself understand that very nice distinction which seems to be drawn between consenting to the building of Church of England schools—taught and inspected as I have described—and consenting to payments made to masters, to stipendiary monitors, and to pupil-teachers, who teach and learn the formularies of the Established Church. It is a nicety of scruple, a refinement of distinction, which I confess I cannot understand; for, be it observed, there is no question now of the Church undertaking the education of the whole people. There is no question now, as there was some years ago, of the Church arrogating to itself the right of educating the people according to the established religion of the State. All that the Church now asks—or rather the scheme to which the Church now consents—is, that in Church of England schools, which are built and established by the subscriptions of members of that Church, the liturgy and catechism of the Church of England shall be taught; while in all other schools, belonging to Dissenters, there shall be no imposition of any catechism or formulary whatsoever. It does seem to me that this is a scheme, not of compulsion, but of religious liberty. It seems to me that it is a scheme by which the conscience of the Dissenter from the Church of England ought to be fully satisfied. It is for him to say whether or not he will make exertions commensurate with the grant now proposed; but, if he does make such exertions, it is evident that he may have as large a portion of this grant as can be awarded to the Church. If, indeed, the Church subscriptions very much exceed in amount the subscriptions of Dissenters, then a larger portion of the grant will be appropriated to the Church schools; but that is not a difference of principle, it is a difference of amount, and an equality of principle. I do not understand, then, why any Dissenter should refuse to partake of this grant on the ground that part of this money is given to Church of England schools, these Church schools being supported by the subscriptions of individuals who are members of that Church. Let the House observe, that this is not—as it has been carefully represented in some quarters—a system of State education imposed by the State. It is a system which only comes in aid of voluntary subscriptions. We take those kinds of education which the people themselves furnish; we find the schools existing; we come in aid of those schools begun and continued by the people themselves; we impose no terms upon any school which are not in perfect conformity with those rules and regulations which the founders, the subscribers, and the managers of such schools have already established. When it is said, therefore, as it has been said, that the State cannot to any advantage undertake the education of the whole people—that it cannot drill the whole population according to one uniform system, that is perhaps an objection, good or bad, against some other scheme, but it is no objection to the plan now proposed; and if the grant were more than is proposed, it would be no objection, provided the subscriptions made by voluntary effort were larger than they are at present, and the management of the schools was left in the hands of the persons by whom they had been established. It is said, Sir, that some other scheme of education would have been much better than that which has been approved by the Government; that it would have been better for the State to have confined itself solely to secular instruction; and that the State ought to take no cognizance whatever of religious education. Now, those who urge this proposition, mean, I think, two very different things. As far as I can understand Dr. Vaughan, and those who think with him, they have no objection to education by the State; they have no objection to the State assisting the Church societies, or any of the Dissenting societies, in supporting the schools which those societies have founded; but they would have the inspectors of the State take no notice whatever of the religious instruction given in those schools. I own it appears to me that this would be doing very nearly the same as we now propose to do; because there can be no doubt that the National Society, the Wesleyan Society, and the other societies, would continue to teach their catechisms and formularies as they now do; and if the Government inspectors—appointed with the consent and concurrence of these societies—made no inquiry as to the religious instruction afforded in these schools, it is obvious that the different societies would appoint inspectors of their own, and that a portion of their funds would be devoted to the payment of these inspectors; but their teaching would be exactly what it is now; the schools would remain Church or Dissenting schools, as they may now happen to be. This objection seems to be taken for the sake of some apparent principle; but the distinction it would make is one in which, for my own part, I can see no advantage; because, if these inspectors are appointed with the concurrence of the National and other societies, they will possess the confidence of those societies, and will be able to give them accounts, either minutely or generally, of the state of religious education in their several schools. But there are others, who, in speaking of secular education, have a very different meaning. They contend that schools should be established by the State, in which secular education only should be given, and in which the schoolmaster should be—what we do not propose to make him—a State officer. They hold that, with regard to all secular instruction, the State should, in fact, be the great teacher, and that religious instruction should be a matter with which the schoolmaster should have no concern; but that it should be given by the ministers of religion of different persuasions, according to their own religious views. This is the proposal, I think, which was brought forward by the hon. and learned Member for Bath (Mr. Roebuck) some years ago. To such a scheme I have the most decided objection. Under such a system the State would take cognizance, in schools set up by itself, of one half only, and that not the most important half, of the instruction to be given to the children therein educated. I think myself, that to omit any inculcation of the duties of religion—to omit instructing the children in the principles of love to God and love to their neighbour—would be a grave, a serious, and an irreparable fault. I think myself that no advantage that could be gained from uniting different sects could compensate for such an apparent declaration by the State, that it thought secular knowledge and secular learning alone was that with which it had any concern, or in which it took any interest. I think, besides, that practically—supposing the objections which stand in the front of such a scheme to be overruled—considering how the time of the working classes of this country and of their children must be occupied; and considering also how the time of the teachers of religion is and must be occupied, you could not obtain, in this way, a sufficient amount of religious instruction. I think, therefore, that both in principle and in practice such a scheme would be objectionable. But I believe, moreover, even if such a scheme had in my eyes greater advantages, that it is one which would not be acceptable to Parliament, and far less acceptable to the people of this country, for they would confound the omission of religious instruction, and the declaration that such instruction was to be left to the ministers of different persuasions, with irreligion. They certainly would be wrong in their interpretation of the intention; but still I think that feeling would be entertained, and I believe it would be so strong as to overbear, and at once put an end to, any scheme proposed on such a basis. If, then, the proposal we make is founded on the system already established—if it is impossible for us to propose any other plan which would enable us to carry practically into effect a great scheme of education—if it would be useless to propose such a plan as I have just alluded to, because it would be sure to fail—the question I have to ask such men as Dr. Vaughan, and hon. Gentlemen in this House who entertain similar views, is, whether, considering the facts I have mentioned, they are prepared to go with us and allow us a grant for a sum of money, to be disposed of according to the Minutes of Council, or whether they are disposed to refuse that grant, and to join the hon. Member for Finsbury (Mr. T. Duncombe) in passing a vote of censure upon us for proposing such a scheme. That is, in fact, the effect of the hon. Gentleman's Motion. But, before I ask the House to accede to this grant, I must notice one or two other points which have been raised both in this

House and out of doors with respect to omissions in this scheme. It has been asked, whether we propose that any part of this grant shall go to the Roman Catholics. Now, I say, with respect to that subject, that in the Minutes of August and December, 1846, the question never came under discussion. That question, according to our view, did not arise upon those Minutes. Certain rules were laid down, in conformity with the original intention, that the application of this grant should be, generally speaking, limited to schools which followed the rules and maxims of the National Society and of the British and Foreign School Society; and therefore the question I have alluded to never arose. Inquiries have, however, since been made as to the intentions of the Government, and we have referred to the Minute of 1839, in order to see what is there stated on the subject. That Minute confined the grant then to be made to those schools in which the Scriptures were read daily. I have stated already that I think the term "Scriptures," in the general understanding of the word, is intended to mean the version usually used in this country—the authorized version of the Scriptures; and we find that where any other version is referred to, it is specifically named—as the Douay version. The question raised is whether, if there appears to be a desire on the part of the Roman Catholics to have Catholic schools, and Catholic schools only, in certain districts, the Committee of Council would entertain favourably applications for grants to establish such schools. I consider that if the Committee did entertain such applications, the greatest care should be taken with regard to the framing of the Minutes by which grants would be authorized in such cases, because I think it would not do for us to support the monastic schools which may be established in connexion with monasteries in this country. I think, likewise, that Roman Catholic schools which Protestant children might attend, and in which they would have no opportunity of reading the Bible daily, would be in themselves very objectionable. I own I consider that there was no need to add this difficulty—which I say arises from the Minute of 1839, and not from the Minutes of 1846—to the consideration of this question; for as far as I know, the present plan has not caused any practical inconvenience, and I see no necessity for discussing the subject at the present moment. I think, having been asked, as we have been, by clergymen of the Church of England and others, whether the Minutes refer to the authorized version of the Scriptures; and having replied that they do refer to that version, and having received applications for the whole sum of 100,000*l.*, it would not be desirable for us to expend any part of that 100,000*l.* upon Roman Catholic schools. I believe that about half a million of money has already been spent for educational purposes, under the direction of the Lords of the Treasury and the Committee of Council on Education; and of that sum I do not think a single shilling has been given for the establishment or assistance of purely Roman Catholic schools; and I do not see the advantage of coming to an immediate decision on this subject, which seems to have been brought forward merely for the sake of placing a stumbling-block in our way. I have now to ask the House—such being the proposal of the Government, and the difficulties with regard to any other scheme being so great—whether they think there is any sufficient reason for instituting an inquiry whether the regulations attached to the scheme of the Government will not

> —"unduly increase the influence of the Crown, invade the constitutional functions of Parliament, and interfere with the religious convictions and the civil rights of Her Majesty's subjects?"

I have touched upon the constitutional functions of Parliament, and I have said—and I hope I have shown—that by this scheme we do not interfere with the religious convictions or the civil rights of Her Majesty's subjects. I certainly supposed, until I saw an objection made, that this plan would increase the influence of the Crown; that if one part of the Minutes of Council were carried into effect, the influence of the Crown, instead of being increased, would be diminished. I must observe, with regard to that part of the scheme which relates to the granting of rewards to stipendiary monitors, pupil-teachers, and masters of schools, that those grants will be made on the report of inspectors appointed by different Administrations, and honestly performing their duties; and I do not think that any pupil-teacher or stipendiary monitor, after the lapse of seven or eight years, when he arrives at his majority, and is able to give a vote, will feel himself in the least obliged to the Minister of the day—whoever he may happen to be—because he received a grant from the Committee of Privy Council in consequence of the report of the inspector. There is, however, a suggestion in the Minutes—for it is not in fact a regular part of the scheme—that, as a great many of these young will not be employed as schoolmasters, some of them may receive employment in the different branches of the revenue. That suggestion was originally made in this House, I believe, by the present Secretary of State for the Colonies (Earl Grey), when the right hon. Baronet opposite was in office, and when Lord Grey was in opposition to the Government, not because my noble Friend thought that such a proposition would at all increase the influence of the Crown, but because he considered that it would hold out a reward to the students, and would afford an additional inducement to parents to send their children to the schools. It seems to have been supposed that we were about to create a great number of new offices in the revenue for these teachers. The fact is, that there is just the same number of offices to be given away; but, instead of being bestowed on the application of parties, recommending a person as a very staunch political adherent, and as in all other respects, namely, in the power of reading, writing, and keeping accounts well, properly qualified to be an exciseman, the offices would be, under such an arrangement as I have alluded to, given to persons who could read and write well, who possess a knowledge of geography and history, and their political opinions would then form no part of their recommendation. This, then, would be anything but a great scheme for the increase of Government patronage; and to regard it as such, is really the most idle of all apprehensions. I am aware of what I think is a very great hardship in many of the Church schools in this country—the existence of a rule disallowing children to come to them unless they learn the Church catechism, and attend the church on the Sabbath. With respect to this rule, we neither promote nor encourage it by this scheme. If we had made it a condition of these grants, that the fundamental rules of these schools should be departed from, we should thereby have lost the advantage of any of these schools which are properly conducted. For my own part, I cannot but think that the Church itself would gain greatly by allowing parents to send their children to these schools without insisting on their learning the Church catechism, or attending the church on the Sabbath. I believe that the rule of the Wesleyan body, which allows parents to act on their own religious convictions in this respect, is much wiser, and more charitable, and has not, I believe, any tendency to effect a diminution in the Wesleyan community. I should see with great pleasure any improvement in the rules of Church schools on this point. I cannot, however, force any change on them. I cannot believe that this grant of 100,000*l.*, part of which is to go to them, would entitle the Ministers of the Crown to impose terms on these voluntary schools, which, of themselves, they are not willing to adopt. But I say again, that I shall be glad to see a change in this respect; and I say further, that if in any place there should be some small body of Dissenters willing to send their children to the Church school, but shut out from doing so by the rule I have mentioned, that would form an additional reason for granting aid to the locality, so that a school might be opened where all the children of the place might be taught. But our scheme being, as I admit, imperfect in many respects, the question is whether you will not in any way try to combat the evil which Dr. Vaughan describes in the terms which I shall now read:—

> "These children—the children of ignorance and poverty—are almost everywhere growing up as such, and as such will be bequeathed to the State, to deal with as it best may. Upon this class our educational means are producing small impression. The great mass of them being themselves uninstructed, have no adequate feeling of the value of instruction, and their great aim seems to be to convert their children into a source of profit as soon and as largely as possible. The school is evaded, that the merest pittance may be gained from the field or the factory. Let these grossly untaught multitudes come to be only in a slight degree more formidable than at present, and let any strong blight come upon our means of subsistence, or upon our means of employment, and to the hunger-bitten millions of Ireland, we may have to add an equal number in the same state of maddened wretchedness in England; and before such an insurgency the power of the strongest Government may be as nothing; and, in an hour when we think not, a wound may be inflicted on our national greatness from which recovery will be impossible. To pursue our present course is to end thus—to perish, as all great empires before us have perished, our ignorance and our vices having become stronger than our knowledge and our virtues."

Reading this passage, and being impressed with its truth, I cannot but wonder that its author should be an opponent of the proposed scheme of education. For my part, seeing that the evil is so great, I am not disposed to wait until I can carry a more general and a perfect scheme. I am disposed rather to feel my way—to proceed as we have, until at length we may find that there is some general scheme in favour of which the great mass of the intelligent opinion in this country will unite; and then I should be most happy to see embodied in an Act of Parliament the provisions which met with such concurrence. In the meantime, we ask you for these means, inadequate as they are, with the view of dispelling that ignorance which Dr. Vaughan has adverted to, and of promoting religion and virtue among the great mass of our population. We ask you to do so, well aware of the opposition which this scheme has met with; well aware that it would have been far easier for us to have shrunk from this task, and not to have asked the House to grant anything more than the millions on millions expended in the maintenance of the military means of this country. It would have been easier for the Ministers to have agreed, and said, "Let us have additional millions for our Army, our Navy, and our Ordnance, but let us not ask for a single farthing for the purposes of education." This would have been easier for us to have done; but this would not be consistent with the duty which we feel presses on us to improve, as far as in us lies, the school teaching in this country, and to assist, as far as in us lies, in giving a knowledge of religion and virtue to many of the uninstructed multitudes in the country; and, be the opposition which we meet with, what it may, however formidable it may be at this moment (and I lament to see it in such a cause, withdrawing from us the aid and support of many, who through good report and through evil report have supported our political course), yet, be this disadvantage what it may, it will, nevertheless, be a consolation to me that I have made an attempt to diminish the empire of ignorance, and to raise the people of this country in the scale of religion and virtue among the nations of the globe. The noble Lord concluded by moving the Order of the Day for the House to resolve itself into a Committee of Supply.

Mr. T. DUNCOMBE said, that he never recollected a Prime Minister of this country to take notice of an individual Member, particularly one so humble as himself, by condescending to argue upon, and endeavouring to prejudice in the mind of the House, a Motion given notice of, but not yet brought on. The noble Lord might characterize his apprehensions as idle; but he believed his apprehensions were participated in by thousands and millions of his fellow-countrymen. The noble Lord might if he chose call his Motion a censure on the Government, or a vote of want of confidence in the Committee of the Privy Council; and he admitted that he had no confidence in that Committee with respect to the scheme of education. Whatever might be the fate of the Motion which he was about to submit to the House—however the great question involved might suffer in his hands—he was confident that if that Motion failed, it would not fail because there was anything unreasonable in it, or inconsistent with Parliamentary usage and the practice of the House. If it failed, it would be in consequence of the inability of any individual or independent Member of the House to cope with that Ministerial influence which he knew had been, and was to be, brought against his humble Motion. It would fail also in consequence of the difficulties he should have to contend with arising from those understandings, if not actual and absolute compacts, made with members of the Established Church and some portions of the Dissenting community—compacts and understandings which he would say were most disgraceful to those who made them—those, for instance, who called themselves Her Majesty's liberal Ministers, in the face of their former opinions and avowed principles. If he failed, however, in his Motion, his consolation would, at all events, be, that he had the support and good wishes of a great portion of his fellow-countrymen. This he believed, because since he had given notice of his Motion, he had received communications from all parts of the country in reference to it, asking him to persevere with his Motion, and stating, also, that that House would neglect its duty and betray its trust if it did not grant some inquiry, or at all events, some information, beyond what had been given by the noble Lord, before voting away any portion of the public money. These communications also expressed regret that he had not given notice of his Motion earlier. His excuse for not doing so was that he had waited until the last moment, in order to see whether any other Member of greater influence would not give notice of probably a better Motion, with the view of meeting the proposal of Her Majesty's Ministers. He had been told both by Churchmen and Dissenters that, if longer notice had been given of his Motion, they would have afforded it every support by the means of petitions. If he had entirely abstained from giving notice of his Motion, probably only one discussion would have taken place before that House was called on to give validity, through the medium of the people's taxes, to an educational scheme which, notwithstanding all that had fallen from the noble Lord, he was prepared to maintain was dangerous to civil and religious liberty, and calculated to increase the power of the Crown—which invaded and superseded the functions of Parliament, and was unjust to that portion of the community which would be compelled to contribute towards its maintenance, but would derive no benefit from its establishment. Moreover, it was a scheme which would not attain the objects sought to be accomplished, while it would carry discord and dissension into every locality where it was intruded. The noble Lord intimated that intimidation had been used to overawe Members, and prevent them from doing their duty on this question. He should like to know what course had been taken on the other side to get up a demonstration in favour of this scheme? The noble Lord had spoken of the Minute of 1839; but a previous scheme was issued in April of the same year; and when the subsequent scheme was adopted, abandoning the scheme of April, 1839, it was stated in the Minute that the Ministers postponed going any further with the new scheme, in consequence of not being able to reconcile the differences of opinion in the country in respect to it; and they deferred, therefore, any further scheme until there should be a great concurrence of opinion on the subject. Now, considering the petitions presented on that day and on previous days, he would ask whether there was anything like concurrence or approbation among the public in favour of this scheme? The noble Lord might think himself strong from having bought of the opposition off the Wesleyans; and he might feel himself strong in the support of the bishops; but, though a portion of the Established Church had given their adhesion to this newfangled scheme of education, a great portion were, on the other hand, opposed to it. He would quote from one petition, which he had presented that evening, proceeding from thirteen clergymen of the diocese of York, by which it appeared that the clergy were only now beginning to understand this Government plan. Those petitioners stated, that it appeared from the Minutes of the Committee of Council on Education laid before the House, that the propositions therein contained were in some measure founded on the representations of some of the clergy of the Established Church; and they wanted to know from what portion of the Church those representations had been received; warning the House against assuming them to be in harmony with the sentiments of the clergy generally. They added, that several public meetings had been held to consider the merits of the plan in question, and that at all such public meetings some grave objections had been made thereto, while deputations had been appointed by many to lay these objections before the Committee of Council on Education—that, in reply to such objections, explanations had indeed been given, but that, in the opinion of the petitioners, those replies were unsatisfactory—that the explanations had no authority—and that they afforded no security against the evils apprehended. The petitioners thought that the plan for public education ought to have been embodied in the constitutional form of a Bill, so that both Houses of Parliament might have an opportunity of deliberating thereon; and they prayed the House not to sanction any plan so indefinite and insecure, and to ascertain its real character and tendencies by instituting an inquiry respecting it. Such were the sentiments of some of the clergy of the Established Church. This petition had been forwarded to him, accompanied by a letter written by a clergyman, from which the following was an extract:—

> "I send you by this post a petition. The more I converse with the clergy the more evident it is, that whilst a few are submissive acquiescents in the Government plan, the majority feel and own they are quite in the dark. The objectors, too, are numerous, in consequence of its conferring no benefit on our poor rural districts; but God speed your efforts to obtain inquiry, for certain I am it would confer a vast benefit upon society."

The House had witnessed the petitions presented against the scheme, and had also witnessed others presented in its favour, principally by the noble Lord. These latter petitions chiefly proceeded from ministers and members of the Established Church. When it suited the noble Lord, he had no objection to get public opinion in his favour; but, notwithstanding all his exertions, and the exertions of the other noble Lord (Lord Ashley), who brought about the arrangement between the Government and the Wesleyans, at the expense of the Roman Catholics, he had not yet been able to effect this in reference to his new educational scheme. To show how petitions were obtained in favour of the scheme, he would read to the House a letter written by the Secretary to the Central Committee for promoting the Government Scheme of Education, of which the right hon. Lord Ashley was Chairman. The letter was as follows:—

> "12, Gordon Street, Gordon Square, April 6.
>
> "Rev. Sir—It having been clearly ascertained that it is of great importance to the success of the Government Scheme of Education that there should be an expression of opinion throughout the country on the part of those who are favourable to a measure of such vital consequence to the welfare of the poorer classes of the community, I beg leave to suggest to you the expediency of your obtaining, with the least possible delay, the signatures of your parishioners to a petition in its behalf.
>
> "In order to save time and trouble, I enclose the form of a petition"—[all cut and dry, according, he supposed, to Dr. Kaye Suttleworth's pattern]—"which has been already adopted by some friends of the measure. It may be copied either on parchment or paper, only taking care that some of the signatures are affixed on the same sheet as that on which the petition itself is written.
>
> "Permit me to add, that all petitions must be in the hands of the Members who are to present them before April 19, so that there is no time to be lost. They may be intrusted to your borough or county Members, or sent (pre-paid) to 'The Right Hon. Lord John Russell, M.P., 32, Chesham Place, London,' who has kindly promised to take charge of them; or, if preferred, they may be sent (pre-paid) to me, to be placed in his Lordship's (Lord Ashley's) hands.
>
> "HENRY HUGHES, M.A.,
> "Incumbent of All Saints, Gordon Square,
> Honorary Secretary."

The postscript, like a lady's, contained important matter. It was as follows:—

> "I have authority to state, that, under the existing Minutes, the authorized version of the Scriptures must be read daily in all schools aided by the Government."

So that the Roman Catholics were to be excluded from all participation in this grant. The noble Lord had talked about the destitute condition of different classes in regard to education; why had he taken no notice of the Roman Catholics? In the *Catholic Directory* for 1846 it was stated, that in the London district, the Central, the Eastern, the Western, the Lancashire, the Northern, and the Welsh, there were 65,307 poor Roman Catholic children requiring gratuitous education, of whom 30,207 were receiving education, but some 35,100 never went to school: why had not these unfortunate persons attracted the noble Lord's attention? But was there no other compromise than this with the Church through the medium of Mr. Hughes, the incumbent of All Saints? What would the House think of the other compromise between the Wesleyans and the Government, and also at the expense of our Roman Catholic fellow-subjects? Hon. Members had probably seen the correspondence with Sir Culling Eardley Smith, and Mr. Langdale's application, to know the intention of Ministers with regard to the exclusion of Roman Catholics—a subject upon which no positive or direct answer was received until the last moment; and now let the House hear what had passed between Her Majesty's Ministers and the Wesleyan body. The statement had been sent by a gentleman connected therewith to him; and he believed it to be perfectly correct. The gentleman referred to forwarded it with a note, in which he remarked—

> "I need hardly say that I have no sympathy with Sir Culling Eardley Smith's views, and that, Protestant as I am, I feel the conduct of the Government towards the Roman Catholics to be peculiarly base; the Dissenters, as well as Churchmen, owe you a debt of gratitude for the notice you have given."

Now, this was the history of the transaction:—

> "About a fortnight since, at the Centenary Hall of the Wesleyans, Bishopsgate-street, a meeting was held of the Education Committee and the Committee of Privileges connected with that body; it was convened for the purpose of framing resolutions expressive of the opposition which at a previous meeting they had determined on offering to the Government plan of education. The meeting was unexpectedly requested to receive a communication from Lord Ashley, who was waiting. His Lordship was admitted, and stated himself to be commissioned by the Government to negotiate with them, in the hope that he might induce their acquiescence in the proposed measures, on the basis of the Committee of Council requiring that the entire Scriptures, in the authorized version, should be used in all schools receiving Government aid; by which means (it was stated by his Lordship) Roman Catholic schools would be excluded from a participation in the grant. This object, it was understood, would be very agreeable to the Wesleyan body. It will thus be observed, that the negotiation did not originate with the Wesleyans, but with the Government through Lord Ashley. This communication having had the desired effect on the minds of these Committees, it was resolved that their deliberations should be adjourned to Manchester, that they might there hold a meeting with some of the leading friends of the body connected with the manufacturing districts. Such meeting was held at Manchester on Thursday and Friday, the 8th and 9th of April, when it was determined to open a direct communication with the Committee of Council on Education. A meeting accordingly took place at Lansdowne-house on Wednesday last the 14th inst., where a deputation representing the Wesleyan body, headed by Dr. Bunting, met the Mar-

quess of Lansdowne and Lord J. Russell. The basis of the agreement there entered into was that already proposed by Lord Ashley, that the existing Minutes of Council should be construed to require the use of the entire Scriptures, in the authorized version, in all schools receiving Government aid, with an express view to the exclusion of Catholic schools. It was further agreed that, on the one hand, the Government would not feel itself precluded from issuing fresh Minutes, or otherwise providing for the aid of Catholic schools; nor, on the other hand, the Wesleyans, in that case, from opposing the same by any means in their power. The following concessions were further made by their Lordships to the deputation:—that all Church schools taking Government aid should be required to receive the children of Wesleyan parents, without such children having to learn the Church catechism or attend on Sunday the Church service; and that no person in holy orders should have the office of master in any school aided by the Government, the latter rule being intended to defeat a proposal of the Bishop of Exeter, to invest masters of such schools with deacon's orders. These points having been conceded to the deputation, they met on Friday last, and the decision they came to was in favour of the Government scheme."

Such was this history. [Mr. MACAULAY: It is mere romance.] Mere romance! Then, perhaps, the Roman Catholics were not to be excluded. Was that "mere romance?" The sooner the right hon. Gentleman could make out that they were not excluded the better; for he had another document to read, which he had that morning received from Leeds, containing a resolution passed at a committee meeting of Roman Catholics, and it was a resolution which would be cordially responded to by every liberal-minded man in the House.

"Resolved—That this Committee have read with the greatest astonishment the reply of Lord J. Russell on the 15th inst., respecting the distribution of the educational grant; for while they were led to believe, from the Minutes of Council, the speech by which they were introduced, and from the hitherto expressed opinions of all the Members of Her Majesty's Government who have spoken on the subject, that the distribution of the grant would be impartially administered to all, they now find that, to appease the sectarian and unjust demands of intolerant clamour, they are to be deprived of all participation in the intended grant, to which they contribute equally with the rest of Her Majesty's subjects; and that this Committee cannot withhold the expression of their regret that a Ministry professing a desire to render equal justice to all denominations should have adopted the truckling policy of sacrificing the interests of one portion of the people to the advantage of another; nor can they refrain from expressing their contempt and abhorrence of a Ministry desirous of creating a new disability upon Her Majesty's Roman Catholic subjects."

There was no "romance" in that; that was a reality, and a resolution that was well warranted. The right hon. Gentleman might call all this "romance;" but did he, when he was opposing Lord Stanley's attempt to procure the revocation of the Minute of 1839, understand that the Roman Catholics were to be excluded, or think it right and proper that they should? Let the noble Lord, the Member for the West Riding (Lord Morpeth), answer that question also. That Minute stated, that—

"A portion of every day should be devoted to the reading of the Scriptures in the school, under the general direction of the committee, and superintendence of the rector."

And Lord Stanley, in the debate on June 14, 1839, urged that "this passage required explanation:"—"Under the direction of the same individual would be read the Roman Catholic version, the authorized version, and, as a matter of course, the Socinian version of the sacred Scriptures." And what said the noble Lord (Lord Morpeth)?—

"It had been objected to the former scheme of the Government (the Minute of April the 13th, subsequently abandoned), that it was impracticable, that it was a wretched compromise, because it attempted to unite the education of children whose parents had different religious opinions. . . . But no such union was proposed now. The noble Lord appeared to have shifted his ground, and to oppose the present scheme with equal vehemence, although the ground of objection was removed. What was the principle on which the noble Lord was prepared to go? Was he prepared to say that it would be right and proper to exclude certain proscribed classes in this country from the benefit of the public grant? He had no high opinion of many of the doctrines of the Roman Catholics; he had his own notion respecting Unitarian tenets; and he thought that the state of opinion prevailing in this country being Protestant and Trinitarian, those who held such opinions were entitled to have the greatest proportion of all public grants applied for their benefit; but, nevertheless, as long as the State thought proper to employ Roman Catholic sinews and to finger Unitarian gold, it could not refuse to extend to those by whom it so profited the blessings of education."

It was clear that at that time the intention was, that the Roman Catholics should have a share, and that there had been a base truckling to buy off at their expense some opposition which threatened the present scheme. That opinion of Lord Morpeth's was warmly defended by Lord J. Russell, Mr. O'Connell, Mr. Hawes, and others, and they ridiculed the attempt to get up a "No Popery" cry. Who would have expected that the same Ministers returning to power, would be the first to exclude the Roman Catholics from participating in the grant? They stood up for perfect equality then—why not now? But the case could be carried still further; such an exclusion was not intended by Lord Wharncliffe in 1842 and 1843, when he was President of the Council. The question arose on his laying on the Table the Minutes of the Committee of Council, and he said—

> "The Government wished to act with the most perfect fairness in this matter (the appropriation of the Parliamentary grant). It would be seen that there were demands upon the Committee, which, if acceded to, must exceed their ability to meet, but which the people of this country would be perfectly ready to admit if they were satisfied that the money was fairly and impartially distributed; and that must depend upon the persons appointed for that purpose. He, for one, should be ashamed to hold the situation he filled if he did not think that every man in this country, whether Churchman or Dissenter, was equally entitled to the support of the Government and to share in the distribution of a grant for the purposes of education. He found the Church making the first claim upon the property of the country; but he must say that, attached as he was to the Church, he thought that the Church itself was greatly obliged to the Dissenters for the example they had set her."

So said Lord Wharncliffe in 1842. To come to a more recent date, showing still that the exclusion of the Roman Catholics was a new thought of Her Majesty's Ministers, what said Lord Morpeth at the meeting of the York Yeoman School on the 9th of the present month?—

> "If I had myself the power, which some seem almost disposed to attribute to the Privy Council, of issuing an arbitrary edict, without reference either to Parliament or people, I believe I should prefer a scheme which both did more and did less —which, on the one hand, would have carried education more extensively into our towns and villages; and, on the other hand, would have abstained more completely from any religious interference. . . . . . We have then a scheme proposed which, if it is distinguished by anything, it is by an anxious, scrupulous, I think almost an exaggerated deference for the religious convictions and susceptibilities of all the parties with whom it can be brought into contact; it respects the liberty of religious conscience with a strictness which is not even to be found in the educational systems of the United States. It takes what it finds—it invents no regulation—it imposes no check of its own, though I may myself regret that it does not prevent others from doing so. But then we hear that though there is no professed, and even no intended favouritism, yet virtually and practically there will be a good deal."

Where in this scheme was this extreme deference for the feelings and consciences of the Roman Catholics to be found? But the noble Lord went on, and, talking of the Church of England, said—

> "At times I have thought it too exclusive, at times too timorous. I rejoice to witness the attitude she has assumed during the recent discussions. I presume not to sound all the motives in which it may originate, nor to divine all the results it may aim at; but I see that she is putting forward no exclusive pretensions—that she is not seeking to keep back from others what she is willing to compete for with them; and let the best friends and most faithful children of the Church feel well assured that she will not derive half the credit from her long proscription, her wide possessions, her august architecture—no, not even from those solemn and beautiful towers that rise immediately above us, as she will do from her willingness to descend into the equal arena of a generous competition; to discard all mean jealousies and absolute monopolies; to reserve her antagonism not mainly for dissent, but for infidelity; to wage her warfare not so much against errors of opinion as against viciousness of life; and to accept the part which falls to her in enlightening, elevating, evangelizing mankind."

Now he would not blame the hon. Baronet near him (Sir R. H. Inglis) for opposing the participation of Roman Catholics in State grants. In him such a course would be at least consistent; but they had a right to blame those who now supported the Government scheme, after having always professed so much regard for Roman Catholics, and such anxiety for an equal distribution of civil and religious privileges. He should like to ask whether the Ministry would dare to maintain this exclusion of Roman Catholics if Mr. O'Connell had been in his place in the House? He believed that they would not have dared to do so. But, until he saw it, he would not believe that to Protestant Members of that House would be left the task of fighting the battle of Catholic equality. He would not believe that the right hon. Member for Dungarvon, and others whom he could name, would go out into the same lobby with Ministers in creating this new disability, and in affixing this new stain, this new reproach, on those believing the same creed as themselves. Surely they would stand up for equal justice, and not allow their co-religionists to be taxed for the support of establishments in which they did not participate. If, however, it was not so—if they adopted the cowardly course of running away from the battle—there still would be found men who would not consent to vote away one shilling of the public money from the taxes, until all who contributed should share equally in its distribution. Now, the noble Lord had stated that he was aware of many objections to the plan which had great force; but perhaps he was not aware of what these objections really were. The noble Lord had not said anything of the probable cost of this scheme. He asked any man in that House if he could say within half a million of money what would be the annual cost of this scheme some ten years hence?

[An Hon. MEMBER: 1*d.* a head.] That was the hon. Gentleman's estimate, just as this year the estimate of Government was 100,000*l.*; but they were laying the foundation of a scheme which, according to the calculations made by others, and which had not been proved to be wrong, would cost some two years hence two millions annually. Now this system was to be worked, and such a result arrived at, under the Minutes of the Privy Council laid before both Houses. He must say that he objected to the unconstitutional character of the Committee of the Privy Council; and he did not think there was anything in the manner in which these Minutes were laid before the House of Lords that was calculated to give the country confidence in that Committee of the Privy Council. When these Minutes were laid on the Table of the House of Lords by the Lord President, that noble Lord said—[Mr. SPEAKER: Order, order!] Well—it was stated in "another place." It was agreed in the Privy Council, if that was liked better, and no doubt thought a very clever view of the case, "that, with regard to the House of Lords, the Minutes of the Council might be laid before them with a few prefatory remarks, seeing that he was not about to lay on the Table of the House any measure for their sanction." So that the view which the Privy Council took of all interference by Parliament with their scheme was, "Read these Minutes: digest them if you can: it is great condescension on our parts to say any thing about them: pay your money and be grateful." That was the language of the President of the Committee of Council—a self-elected secret tribunal. He next meant to come to the Minutes themselves. The scheme was objectionable not only on account of the annual cost and its inefficiency for its object, but because it would increase the power of the Crown and the patronage of the Government. On the 25th of August the general Minutes were agreed upon; and the President of the Council required four months to produce another set of Minutes, regulating the education of pupil-teachers and stipendiary monitors. Apart from this unconstitutional character, he believed there never had been such a piece of quackery as those Minutes. People might talk of Dr. Eady or of Morison's pills; but Dr. Kaye Shuttleworth's Minutes beat every other quackery hollow. In all that related to workshops in schools, for instance, they were the laughing-stock of the country. At the end of the first year pupil-teachers were to be examined

—"in writing from memory the substance of a more difficult narrative; in arithmetic, the rules of 'practice' and 'simple proportion,' and in the first rules of mental arithmetic; in grammar, in the construction of sentences, and in syntax; in the geography of Great Britain and Palestine; in the Holy Scriptures, and in the Catechism, with illustrations by passages from Holy Writ, in Church of England schools, the parochial clergyman assisting in the examination."

Objection was taken to that; it was a novelty. Next year there was not much difference in the examination, except that the geography of Europe and of the British empire was added to that of Great Britain and Palestine. It also embraced decimal arithmetic and the higher rules of mental arithmetic, but with this provision—"girls will not be required to proceed beyond the rule of compound proportion in this year." Really the idea that a parcel of these girls, kitchenmaids and chambermaids to be, should be crammed with this compound proportion, under the superintendance of the parochial clergyman, did appear supremely ridiculous. The general rules appended to the course of examination prescribed during instruction stated that

—"a knowledge of vocal music and of drawing (especially from models) though not absolutely required, because the means of teaching it may not exist in every school, will be much encouraged."

Drawing, especially from models, would be much encouraged, though not absolutely required, because the means of teaching it might not exist in every school! Why, the right hon. Gentleman would see that it was very easy to have models in any school after the fashion of the *posés plastiques* now in vogue. Great admiration had been expressed of the system of education followed in Switzerland. But one essential article of Swiss education was omitted in the Minutes, namely, that which required the pupils to be instructed in the rights and duties of citizens. Why should these "pupil-teachers" and "stipendiary monitors" not be taught their duties and rights as citizens? Why was the constitutional history of England not to be put into their hands? The next part of the Minutes to which he would advert, was that relating to a petition he had presented that evening. Portions of the country would not receive benefit from the grant. Rural districts, and the noble Lord the Member for the West Riding of Yorkshire (Lord Morpeth) had alluded to the subject—would be injuriously affected; corresponding to the amount granted, there must be a certain local provision. The least grant for a schoolmaster was 15*l.* or 20*l.* Voluntaryism must furnish a further salary equal at least to twice the amount of the grant, with a house rent free, so that his emoluments might be equal, say altogether to 60*l.* But there were rural parishes, particularly in the North of England, where not 20*l.* or 15*l.* could be raised for the education of children, which nevertheless at present provided an education for their people, they would have no part of the Government allowance, though they would have to bear their share of the taxation. No one could object to "school field-gardens," but to "workshops for trades" there were great objections. The working men from whom he had presented the petition to which he had already alluded, after adverting to the unconstitutional character of the measure, stated these objections in the following terms:—

> "Your petitioners desire especially to direct the attention of your honourable House to a portion of that scheme which, if put in operation, will be productive of serious injury to the trades and labouring classes of this country. Under the head 'Workshops for trades,' it is provided by the Minutes that grants may be made for the erection of workshops, or the hiring of suitable buildings, towards the purchase of tools, and for the encouragement of the master workmen, by granting gratuities for every boy who, in consequence of skill acquired in the workshops, shall have become a workman or assistant in any trade or craft whereby he is earning a livelihood. This portion of the scheme will, in the opinion of your petitioners, inflict a serious injury on the honest and hardworking artisan of this country. The great body of the trades are already brought down to the mere subsistence level by the keen competition caused by redundant labour. But the proposed addition to these competitors will render their condition much worse, because it will be impossible for the produce of their labour to be sold in the open market at the same price as that of these favoured and privileged workshops. Your petitioners would remind your honourable House of the wretched condition of the shirtmakers and needlewomen of the metropolis and other large towns. To a great extent this wretchedness is, in the opinion of your petitioners, attributable to the fact that they are compelled to compete with persons employed in workhouses, schools of industry, and similar institutions."

It was impossible for the working people to enter into competition with those who had all the advantages of assistance from the State. The petitioners prayed for inquiry before the Legislature sanctioned the scheme. In a pamphlet, which was supposed to proceed from the Secretary of the Education Committee of Privy Council, this subject was much dwelt upon. A direct bribe was offered to the working classes to accept the scheme. Speaking of the benefits promised to children in great towns, the author said—

> "The most obvious advantage to be offered to such children is the means of earning a livelihood by training them in some handicraft requiring skill. If every such child had the opportunity of etering a workshop in which he could acquire the art of a smith, or a carpenter, or a cooper, or other similar trade, and after some hours of application was provided with a coarse but wholesome meal, it is not to be doubted that many, attracted not less by the sympathy which such arrangements would prove to exist for their forlorn condition, than by the opportunity of escaping from the misery of a life of crime and privation, would become assiduous scholars in such schools of industry."

The plan appeared to look remarkably well on paper; but any practical mechanic could show, that as for teaching children, with the view of gaining a livelihood, any of the skilled trades of this country in such schools, it was absolutely impossible to do so. The experiment had been made in industrial schools; but it had been found that the work of a shoemaker, for instance, who had been so taught his trade, could not bear to come into competition with that of regularly-bred workmen. There was this dilemma —either young persons would be taught trades imperfectly, or, if they were taught perfectly, great injury would be inflicted on the regular trade of the country. Men could not learn in a year and a day any of these trades; they must serve an apprenticeship. By the Minutes of Council it appeared that the boys were to have a share of the produce of their labour. Where was the produce of their labour to be sold? It must be brought into the ordinary markets; but it was totally impossible for an honest independent shoemaker who paid his taxes, maintained his family, and provided his own tools, to cope with those whose labour was carried on under so great advantages. If carried out to any extent—and if it was to be of use for the purposes of the scheme, it must be carried out to a great extent—it would seriously interfere with the wages of working men, who asked only "a fair day's wage for a fair day's work," which, indeed, the scheme now propounded was calculated rather to take away than to secure. The other day he received a communication as to what had taken place in Burnley, where a very active canvass, it appeared, took place on behalf of the Government schools, But the people were not to be deluded. The factory agitation was first tried, and the operatives called upon to go to the court-house, a meeting having been announced on the subject. Then another appeal was made :—

> "Men of Burnley! do not be blinded by any sectarian jealousy. The Government scheme offers aid to Churchmen and Dissenters alike. No favouritism! Pork for all!"

"No favouritism!" But what would the Roman Catholic say? There was a saying, "Fewer parsons and more pig;" and the question, "Who was to pay for the pork?" had been pertinently put in another placard :—

> "And men of Burnley look here! 'Knowledge is power' for either good or evil. The promoters of the Government Scheme of Education have ever been the promulgators of the pernicious doctrine of passive obedience, and non-resistance. Put a pin in that fact, working men. 'Knowledge is power;' but it may be so engrafted into the minds of your children, that they will always be passive slaves, and submissively obedient to the powers that be. Put a pin in that fact also. They cry out, 'Pork for all.' Working men, inquire who has to buy the pig and pay for its keep?"

A public meeting took place; and, notwithstanding an active canvass on the part of the Government, their scheme was rejected by a majority of 150 to 1. The resolutions described in emphatic terms the tendency of the scheme to corrupt the working classes. A clever, intelligent working man, writing on the subject said—

> "I have carefully read over the Minutes of Council, and I cannot help thinking that the 'scheme' is deeply laid, that the 'thin end of the wedge' is intended to be introduced; and if the Government once introduce it, there will not be wanting those who will drive it forward. The hopes of salary, emolument, and pension, I fear, will cause a whole host of expectants to be a sort of tools that will train the youthful mind to believe in that doctrine so useful to those who fatten on the industry of others—the doctrine of passive obedience and non-resistance. And the 'scheme' of granting 'certificates' is such that, not only the whole of the 'pupil-teachers,' &c., will be put completely in the power of Government, but also their families; the fact is, they will all be bound to their good behaviour towards all Her Majesty's subjects, but more especially to the 'parochial clergymen' and 'managers of schools.'"

The same correspondent proceeded to remark—

> "I am a working man that does not care a fig for either Churchman or Dissenter, as regards the education scheme. I believe that, as far as they are concerned, it is perfectly impartial, except as regards our Catholic brethren; and if the statement be true that has been published in this town by the supporters of the scheme, that the Roman Catholics are shut out, I am sure that on principle I should oppose it, if I had no other objection, because I hold that all who are called on to pay should participate in the benefits."

So far as working men were concerned, the scheme had very little chance of gaining their approbation. They were too good judges in the matter to be deceived. They felt that the measure was calculated to enslave and to injure them, rather than to promote their interests. The Committee of Privy Council, by their conduct in reference to Burnley, had not done anything which entitled them to the confidence either of the House or of the country. This subject had been adverted to by one of the speakers at a meeting held in Manchester :—

> "He thought that it was in 1844 that some friends of religion and education in the town purchased a school belonging to the Society of Friends; and he was delighted to bear his testimony to the efforts that body had made. Well, they established their school, and carried it on with considerable effect, and determined to build another for 250 girls. They got their estimate, and proposed to apply to Government for a grant. With that view, at the desire of his colleagues, he entered into a correspondence with Dr. Shuttleworth. These grants, he had then reason to feel, were not so easily obtained for Dissenters. The first thing they had to do was to send their trust-deeds to the Privy Council; and, in answer, they were informed that these were void for want of enrolment. This was attended with no little expense; but having remedied the difficulty, he went to London, where he was received with considerable affability by Dr. Shuttleworth, who said, 'You may commence your building as soon as you like; the Council will grant 100*l.*' A serious illness laid him (Mr. Dawson) aside for some time; and soon after that, application was made to the Council for the money, when, to their mortification, they received for answer, that 'the Lords in Council have granted 50*l.*' He would not describe the disappointment and annoyance occasioned by this; he would only say it rejoiced him to inform the meeting that under the circumstances the committee made up their minds, and refused the grant. But now he would contrast this treatment with that experienced by another body in the same town. A gentleman there laid out 800*l.* to build a school in connexion with the Church; and having applied to the Council, how much did the meeting suppose it granted; Why, any child would say, that if for an outlay of 350*l.*, they (the Dissenters) obtained 50*l.* the amount to be given to the Church school should have been 150*l.* On the contrary, the Council wrote at once to say that they granted him 800*l.* He mentioned this as an illustration of the kind of fairness they might expect to meet with if they consented to this system of grants."

Was not that a case of undue preference? Would any one say that that was an impartial apportionment of the grant? That fact alone, he maintained, was sufficient to show that that self-appointed body was not entitled to the confidence either of that House or the country. He observed that, by way of illustrating the ignorance of the working classes, and of showing the necessity of concurring in this scheme, Dr. Shuttleworth, in this pamphlet of the Government, alluded to what he called combinations and unions of the working classes, and strikes. He called it the Government's, because he saw the personal pronoun "we" always introduced; and unless he should be told that it was not sanctioned by the Privy Council, he should assume that it was an official document, published at the public expense. Well, in that pamphlet, allusion was made to the strike of the operative cotton-spinners of Preston from October, 1836, to February, 1837; and it was shown that 107,000*l.* was lost to the town and trade of Preston by that strike. In that same document, however, it would be found what was the reason of that strike. It was simply this, that the operative spinners of Preston, seeing the factory operatives in other parts of Lancashire receiving better prices than themselves, conceived that there was no reason why they should not receive the same prices. They found the wages at Bolton about 10 per cent higher than their own wages, and they struck. Well, what was the result? After the men had remained on strike for some time, the masters of Preston offered the same prices as at Bolton. This showed that the men were right in the demand they had made. But the masters thought proper to connect a condition with those prices, namely, that if the men returned to their work, none of them should belong to a trades' union or confederacy of working men. The men, in a manner he thought honourable to themselves, would not succumb to the masters on this point. There was no law against combinations, either of masters or men. The masters often combined to reduce wages; and the men saw no reason why they should not combine to raise them when they saw cause. And yet this was quoted as an instance of the ignorance of the working classes! But he begged to tell the Privy Council, that, in quoting this instance, they were talking on a subject of which they were totally ignorant. The working classes were not now so ignorant as to have recourse to the idle and ruinous strikes they had formerly adopted. They knew perfectly well that in those strikes they were not able to contend against the long purses of the masters, and they had consequently formed themselves into a national and general combination of united trades; and were creating a fund by which they would be enabled to produce for themselves the raw materials of trade, and by employing themselves in reproductive labour in cases when, by undue oppression, they were forced to strike, it would become a matter of indifference to them whether the masters yielded or not. As a proof of the effect of this union, he mentioned that within the last fortnight the members in Nottingham had succeeded in preventing no fewer than eighteen cases of abatement in Leicestershire in consequence of their association. When the pamphlet, therefore, talked of the ignorance of the working classes, the authors of it evidently did not know what was going on in the country at this moment in respect of labour; and it would be well that, before adopting this scheme, they should make some inquiry into that point. He found, also, in this pamphlet, which was sanctioned by the Committee of Privy Council, a gross libel upon the Dissenting interest of the country. He found that, at page 20, Dr. Shuttleworth attributed motives to the working classes, and especially to the Dissenting interest, which he was not entitled, either by their present or their past conduct, to attribute to them. For, talking of the scheme, he said—

> "When, therefore, freedom of education from the interference of Government becomes the war-cry of any party, will it not be suspected that they seek the interest of a class rather than the welfare of the nation; that they prefer popular ignorance to party insignificance; the liberty to neglect the condition of the people, rather than the liberty of progressive civilization?"

He held that that ought not to be published in a pamphlet emanating from Her Majesty's Ministers in reference to the Dissenters of this country, who had a right to expect better treatment at the hands of Her Majesty's Ministers than this pamphlet contained. He found also among the petitions presented by the noble Lord (Lord J. Russell) in favour of the scheme, one from Mr. Hughes, the incumbent of All Saints, Gordon-square, wherein he also ventured to libel the Dissenting interest of this country. He was only surprised that the noble Lord should have presented a petition attributing such bad motives to the Dissenters. What did this minister of the gospel—this charitable man say? He said that—

> "Your petitioners have observed, with the utmost surprise and regret, that notwithstanding

the strict impartiality of the plan, an outcry has been raised against the scheme in question by certain sections of the Dissenting body, whose leaders, driven from absolute want of a fair objection to any one of the regulations, have invented and imposed on their ill-informed followers the grossest misrepresentations, by which, and by mere declamation on irrelevant abstract theories, they seek to defeat a measure of incalculable value to the whole nation."

What right had this Mr. Hughes to say that the Dissenters had invented falsehoods for the purpose of deceiving the people of this country? He denied that they had done so. The charge was as foul a libel as that of Dr. Shuttleworth's, when he said that the Dissenters were not the friends of education. The House would, perhaps, be glad to hear that he had now nearly concluded his observations. He wanted to know what objections were to be raised against the Motion which he had the honour to propose? The noble Lord called that Motion a vote of censure on the Government. He certainly never intended it as a vote of censure on them; but, if they chose to regard it as a vote of want of confidence in the self-constituted tribunal called the Committee of Council on Education, they were at liberty to take it so. What he wanted was, that this unconstitutional body should not have the power of granting gratuities and pensions to the extent of some 2,000,000*l*. of the public taxes. He maintained that this scheme of theirs would enormously increase the influence of the Crown and the patronage of Government. He begged the House for a moment to pause and consider the amount of patronage that had already been created, and that amount, in perspective, which they were about to create, and they would see, that between the two, the influence of the Crown was likely to be largely extended. Last year they gave a seat in that House to a Commissioner of Railways—a gentleman who would always go out with the Government, and be dependent on the Government of the day. Then let them look at the patronage which they had recently had with respect to the Local Courts Bill—the number of judges they had already created, and the number of appointments they would have as vacancies occurred. Then there was the Board of Health, and the number of inspectors that would be appointed, all under Government—more patronage again! Then there were the four new bishops that were to be created; Mr. Hughes, of Gordon-square, perhaps, being one of the candidates. Then look at the pensions and gratuities that would be at the disposal of Government and the Privy Council among the schoolmasters and schoolmistresses under this scheme. He wanted to know what necessity there was for schoolmasters at the end of fifteen years' service having any pensions at all? There were many poor curates who had worked from twenty to thirty years, who had no pensions; and yet a schoolmaster, who should enter as a teacher, at the age of twenty or twenty-five, was not only to get gratuities during his service, but a retiring allowance at the end of fifteen years. This would put an enormous amount of patronage in the power of the Crown; and he believed that it would create a great deal of corruption throughout the country. He wanted to know, then, what objection there was to appointing a Committee to inquire into this scheme? The noble Lord had stated that there were some objections to the scheme of great force, but that there were others very unreasonable. If so, why not attempt to have these objections removed before a Committee of that House? He could only say, that if they did not give a fair hearing to parties who wished to come before them to state their honest objections to the scheme, a very bad impression would be produced of the conduct of that House. He wanted to know why the noble Lord should shrink from a fair, enlightened, and impartial Committee? If the noble Lord did shrink from the probe which he wished to apply to the scheme, the public would come to the conclusion that there was something in it which would not bear the light of day; and that the real object of Government was to increase the power and influence of the Crown much more than the instruction of the people; and that the result of it all would be, that, instead of our being a free and well-educated people, we would become an enslaved and corrupted nation. The hon. Member concluded by moving—

"That previous to any grant of public money being assented to by this House, for the purpose of carrying out the scheme of national education, as developed in the Minutes of the Committee of Council on Education in August and December last (which Minutes have been presented to both Houses of Parliament by command of Her Majesty), a Select Committee be appointed to inquire into the justice and expediency of such a scheme, and its probable annual cost; also to inquire whether the regulations attached thereto do not unduly increase the influence of the Crown, invade the constitutional functions of Parliament, and interfere with the religious convictions and the civil rights of Her Majesty's subjects."

VISCOUNT DUNCAN seconded the Amendment. He was well aware that on all occasions it became him to ask the indulgence of the House, and more especially on the present occasion, when for the first time since he had a seat in that House he felt himself compelled to oppose those old friends with whom for the last ten years it had been uniformly his pride to act; but at the same time he conceived that the Motion before the House was of such vital importance that it behoved every man to make his personal feelings bend to his public duty. He had listened with great attention to the speech which had fallen from the First Minister of the Crown, and he must own that he had been disappointed. He had expected that the First Minister of the Crown would have explained to the House wherein the necessity lay of keeping up the Committee of Privy Council, which had occasioned such heartburnings in the country. But instead of that, he had heard very different language from the First Minister of the Crown. The noble Lord had thought it worth his while to warn those who, like himself, sat on the Ministerial side of the House, against allowing themselves to be overawed by what he called the clamour got up by their constituents. Since he had had a seat in that House, he had frequently had the misfortune to differ from his constituents, and sometimes from a majority of them; but he had never flinched from giving a vote according to his conscience; and he begged to tell the noble Lord that he never would flinch from doing so. He would neither allow himself to be overawed by his constituents, nor by any First Minister of the Crown, whoever he might be, or whatever language he might think it worth while to hold towards his old supporters from the Treasury bench. The noble Lord had expressed his astonishment at the opposition excited by his measure, and had made a kind of accusation against the Dissenting bodies, that, in 1839, they had agreed to the constitution of the Board of the Council of Education, but that they now objected to it. The explanation he believed to be, that in 1839 the Dissenters agreed to the scheme then propounded merely as an experiment. That experiment had now been tried for eight years, and upon the whole they had found that as an experiment it had completely failed. In connexion with the new scheme, if any one thing astonished him more than another, it was when he heard that the Roman Catholics were to be excluded from any benefit in a public grant to which they were by law forced to contribute. Allusion had been made to the ignorance which prevailed at Preston, and throughout Lancashire. He spoke under correction; but he believed that the majority of the uneducated persons in those districts were Roman Catholics. He should have expected, therefore, that in a general system of education, supported from the general funds of the country, that the Government would have felt inclined to extend the benefits of their scheme to Catholics as well as to Christians of other denominations. It was in 1834, as the noble Lord (Lord J. Russell) had observed, that Lord Althorp first brought forward a Motion for granting the sum of 20,000*l.* for the purposes of education; and it was agreed on all hands that the grant should be given to the British and Foreign Schools, and to the National School Society, to build school-houses. It was determined that the condition of the grant should be, that an equal amount to the sum contributed by the public should be raised by voluntary subscription. In 1839 the noble Lord (Lord John Russell) brought forward a scheme of a very different kind; and if that noble Lord would allow him, he would call his attention to the fact, that there was reason to believe that the education of the country was never in a more flourishing state than between 1834 and 1839. He believed that he could bring his Lordship's own authority in support of that statement, for in that far-famed letter, in which he alluded to the formation of the Educational Committee of the Privy Council, he remarked that he was happy to say, that of late years the zeal for popular education had increased. This was the letter which was first issued on the subject of the appointment of the Educational Committee. It was addressed to the Marquess of Lansdowne, and stated, that as there were very great defects in the existing plan, it was necessary that an immediate remedy should be applied. His Lordship farther stated, that he was directed by Her Majesty to request the noble Marquess to form a board to superintend all matters touching education; and he mentioned the parties of whom it was to be composed, one of them being the Master of the Mint. The letter which contained the directions was dated the 24th of February, 1839; but he found from an Order in Council, dated the 10th of April, 1839, that the noble Lord had even then adopted a different course, for although the names of many of those mentioned in the communication of February appeared as members of the Committee, he found the name of Mr. Labouchere, the then Master of the Mint, had been omitted. He wished to call attention to these facts, because they referred to the origin and constitution of a board on which the House were called upon to bestow an unlimited amount of patronage. It was not for him to guess the reason why Mr. Labouchere was excluded; but he would ask the hon. Member for the University of Oxford (Sir R. Inglis) whether he thought there was any constitutional objection to the present Catholic Master of the Mint (Mr. Sheil) being appointed one of the Committee to superintend the exclusively Protestant education of the country? He had made it his business, as far as he could accomplish it, for he would own that he had found the task not an easy one, to discover who the members of the board were. He had found the number vary in different years. In 1839 the number of members was five; in 1841, eight; in 1843, eight; and now there were six, and all of them were Cabinet Ministers. What he wished the Government, however, to explain, was the qualification required in those who became members of the Educational Board. The noble Lord said they were all responsible parties. If so, to whom were they responsible? He should like the noble Lord to explain why, in 1841, Lord Monteagle, who was not a member of the Government, was nevertheless a member of the Educational Board? Perhaps the noble Lord might say, that the mere fact of the person being a Privy Councillor was a sufficient qualification; but if so, then he should like to ask whether it were possible, by a mere Minute, to appoint the Archbishop of Canterbury, the Duke of Norfolk, Mr. Fox Maule, or any other person of that kind—he did not mean anything offensive—he merely wished to ask whether it were possible for any Minister by a mere Minute of Council to appoint any Members of the Privy Council to seats at the Board of Education, who were to be thus magically invested with the sole power of conducting the education of the country? If it were, there was an end of all responsibility? The noble Lord (Lord J. Russell) had asked where was the difference between the grant now asked for, and the grant for Maynooth? The difference was, that in the one case the proceeding was by Bill which went regularly through Parliament; and in every stage ample discussion was allowed both within and without the walls of Parliament. Instead, however, of that constitutional course being adopted in the present case, Parliament was asked to make an annual grant in compliance with a Minute of Council, a course which under ordinary circumstances would lead to no discussion either in the House of Commons or elsewhere. He begged also to call particular attention to the fact that the number of inspectors was to be increased. He should be the last man who should wish to object to a reasonable number being appointed; but really it did seem to him that it was rather too much to pay 13,600*l.* a year for sixteen inspectors, being 13½ per cent on 100,000*l.*, the whole sum asked for. He thought there was a very great vagueness as to the appointment of these inspectors; for he saw in the first part of the Minute that three additional officers were spoken of, while in the latter part he found mention made of four. He thought there was great confusion on that head, and he should like to have some explanation on the subject. He had been instructed that with respect to these sixteen inspectors, only two of them were apportioned for the inspection of the schools of Dissenters; the others being all immediately connected with the inspection of the schools belonging to the Established Churches of England and Scotland. There was one thing which seemed to him particularly dangerous. In the Minute of August, 1840, it was stated that before any inspector should be recommended to Her Majesty, the recommendation of the Archbishops of Canterbury and York should be required for those who were to officiate in their respective districts; and that inspectoral appointments should also be revoked at pleasure should the Archbishops feel dissatisfied at the conduct of any of the inspectors. He did hope that he was as zealous a partisan of the Church of England as any one in that House; and he was sure that, during the life of the present Archbishop of Canterbury, not one word of reflection should be heard from him against that venerable Prelate; but he could not forget that a great schism existed in the Church. And let him put this case to the House: suppose there should be a Puseyite archbishop, and that he should recommend Puseyite inspectors; and suppose that these men had to do with Puseyite schoolmasters—could anything be devised more dangerous in the way of poisoning the minds of the young? He entertained the greatest respect for those members of the Church of Scotland, who, feeling that they could no longer remain in connexion with the Establishment, quitted their livings and emoluments for conscience sake; but he entertained a very different opinion of those whom he saw daily enjoying the livings of the Church of England, but who, nevertheless, were almost avowedly leaning to the Church of Rome. He thought it necessary to call attention to this fact, as it was causing great uneasiness throughout the country. When the Committee was first appointed in 1839, it was said that the children of Roman Catholics should read their own version of the Scriptures; but from a Minute subsequently drawn up, it appeared that they were to be excluded from all participation in the benefit of the public grant. The Council of Education had changed their minds on that subject; and not on it alone, but on many other matters. The House had been told that the Minutes of 1846 were drawn up on the same principles as those of 1839; but on looking at the documents from one end to the other, he found no such agreement. In the Minutes of 1846, there was scarcely any allusion made to local contributions. In consequence of the Minute of 1839, the House had been told that both the Wesleyans and the Roman Catholics had been excluded from any participation in the Education grant. By the Minute of 1846, the Wesleyans were included with the other participators in the public grant; but the Roman Catholics were still specially excluded. This presented a very different feature in the two cases. He wished that the country should know what Minister was to be at the head of the education of its poor. For his own part, he should like to see a Bill brought in, the principle of which might undergo full discussion in Parliament; and that some system of education should be thereby established which would give satisfaction to the country, the great majority of which, he was persuaded, was anxious that public education should be promoted. When, however, he looked at the petitions on the Table of the House, he felt it to be his duty to give his opposition to the new plan now proposed by the noble Lord, which he could only look on as a one-sided system. He trusted that the noble Lord would, in spite of what had fallen from him that night, yet be induced to reconsider this question; but, be that as it might, he should, as the representative of a large constituency who were much interested in the subject, and as one who was desirous of doing his duty to them and to the country by inquiring into every vote of public money—more especially into such a vote as the present by which all were to be taxed, and from participating in the benefit of which some of his fellow-countrymen were to be excluded for conscience sake—second the Amendment which had been moved on this occasion by his hon. Friend the Member for Finsbury.

Sir R. H. INGLIS said, that he should feel more regret in taking precedence of the hon. Member for the Tower Hamlets [*who had risen with the hon. Baronet*], if he could suppose that the hon. Member had risen for the purpose of defending the Government; but, looking to the Amendment of which the hon. Member had given notice, it was evident that the measure which had been brought under the consideration of the House was as little acceptable to him as it appeared to be to the hon. Gentleman and the noble Lord who had moved and seconded the Amendment upon which the House was now called to decide. For his part, he retained the objection which he originally expressed to the principle of the scheme of education sanctioned by the Committee of the Privy Council; but, at the same time, he felt that that it was perfectly vain to hope, at the present moment, to create a different organization for the diffusion of education; and, therefore, although he held as strongly as ever the conviction that it was to the Church and the Church alone that the State should delegate any portion of the national power and resources for the purposes of education, he thought he should best discharge his duty now by refraining from pressing that, and stating that he was content to take the plan of the Government—he would not say cheerfully, but thankfully. He thought that the plan proposed by the Government—passing by the fundamental defect to which he had already adverted—was greatly superior to anything which could be expected from any other combination of parties in that House. That was his deliberate opinion; and he had stated it certainly with no intention to injure the Government. In the plan now proposed, the Government was carrying out the principle established eight years ago, for the principle involved in the present measure was not a new principle. The principle in question had been supported for eight years by the hon. Members who were now coming forward to oppose it; and their Dissenting brethren out of doors had done the same. In carrying out that principle by the present plan, the Government had introduced a series of very considerable improvements. He agreed with so much contained in the speech of his noble Friend the First Minister of the Crown, that he was almost unwilling to notice the points on which he differed from him; yet he felt that he should hardly discharge his duty if he did not make one remark, at least, on his noble Friend's address, which had been noticed with special approbation by the hon. Member for Finsbury; it was this—that the Church had never claimed the right, and never exercised the privilege, of educating the people of this country. Without entering into the constitutional question of the right of the Church, he would deal with the historical fact; and he maintained that long before any Dissenter existed—he meant any form of dissent—the Church was the great educator, or, if they pleased, educatrix, of the people of this country. The noble Lord at the head of the Government had referred to the close of the last century as the period when a great effort was made to educate the people, and adverted to Mr. Lancaster as the great mover in the work; but he begged leave to ask whether, at that very time, the Church did not, almost instantly, introduce a better system by means of Dr. Bell's machinery? But go farther back—go to a hundred years antecedent to the period to which the noble Lord had referred—at which time it would be found that there were a large number of schools under the organization of the Church. It was not correct, historically, to state that to the Dissenters, as such, the people of England were indebted for any considerable portion of education at an earlier period than towards the close of last century; on the contrary, almost all the grammar schools in England were founded by members of the Church of England; and up to a comparatively recent period, hardly any portion of the education of the people was imparted by Dissenters. The House had been told by the hon. Member for Finsbury that the plan of education now proposed was defective, because it did not provide for the education of children in the constitutional history of the country. "Why not," asked the hon. Member, "teach the children of England after the fashion of the children of Switzerland, and make them acquainted with the rights and duties of citizens?" Whilst he was listening to the hon. Member, he could not help thinking that there were persons in that House who might derive benefit from attending a constitutional school. As far as he understood the constitution, there was nothing to violate it in the Prime Minister or the Chancellor of the Exchequer moving, in a Committee of Supply, a vote of credit, of 100,000*l.*, for the purpose of education. There was nothing unconstitutional in the Crown exercising its privilege in favour of educated, instead of uneducated men. At present all the tidewaiters and excisemen were nominated by the Treasury without regard to their competence; the only difference under the proposed system was, these situations would be the prizes of competence, awarded on an examination. With reference to the amount of money to be given, it did not matter, in point of principle; that was a mere question of expediency and practice; nor was it more a breach of the constitution to ask for millions of money than to ask for thousands. However, it was likely that Government, after mature consideration, might have thought that it was difficult to provide more schoolmasters at first than the grant of 100,000*l.* would supply, and they had therefore exercised a safe discretion in limiting their provision to that sum. But who were they who raised the cry against what they termed an inordinate grant of public money? Why, they were the same men who all their life had been calling out for additional means of education. He confessed he had hardly expected such an outcry from that quarter, against the State coming forward and granting aid to assist in the diffusion of education. He had higher notions of education than its pounds, shillings, and pence character. Any scheme of popular education with him would be unsatisfactory, if it were not founded on the Scriptures. A secular system of education might teach man his duty to his fellow-creatures; but it was defective, inasmuch as it left the higher knowledge of man's duty towards God untouched. He would not go so far as that gentleman who had been referred to in the debate, but whose name he did not catch, who said that education might be the guide-post to the gibbet; still he could not regard the education which some individuals thought alone entitled to consideration as worthy of the name; and he was sure that there were no fallacies so difficult to deal with as those fallacies sustained by figures. Give him but the correct amount of crime and of education, and he would prove that the wider the diffusion of education, the larger the amount of crime. ["No!"] He was met by "No" from some hon. Member. To that he answered, there was a prison not far from that House, in which the proportion of educated over uneducated criminals was 845 to 155. This would serve to prove that ordinary education might facilitate the commission of some kind of crimes. This was so self-evident, that the examples would suggest themselves. He, therefore, contended, that, unless education was imparted in such a way as would teach man his duty towards God, and was not confined merely to reading and writing, no permanent benefit would be conferred on the people. He contended that nothing was worthy of the name of education that did not teach man his whole duty; and unless with his duty towards his fellow-man he was at the same time taught his higher duties, they were only promoting a plan that would meet imperfectly the requirements of the country and their public duty. The Government plan had his approbation so far, as it contained one provision to teach children their Christian duties, and another for due inspection at regular periods. This regulation would serve to show if children and masters did their duty; and seeing this, he would give his support to the measure. He would add one word as to the statistics which had been brought forward in reference to education. From those statistics it was inferred that only a certain proportion of the population could read and write. The figures were taken from the returns obtained from the National Society and the British and Foreign School Society. Now, he knew, and the fact was also known to others whom he saw, that there were many schools which refused to have any connexion with either of these institutions, and were self-governed because self-supported; therefore it was quite a mistake to suppose that the returns in question represented the true state of education in England. A remark had been made as to some possible objection that might be raised to the names of the Council, to whom the duty of carrying out the Bill would be delegated. There was nothing more clearly established than that when the Crown had once named the Privy Council, the House had nothing to do with its selection, except, indeed, as far as the Minister of the Crown in that House was concerned. By whatever agency that Minister might be guided out of the House, in that House he was the person responsible for the advice he might think fit to give to his Sovereign. It was for the House, then, only to exercise its discretion with respect to the vote that would be applied for. Under these circumstances he did not think the hon. Gentleman who wished the measure to be deferred, in order to give an opportunity for discussing the matter, had made out a case for delay. He begged to give his thankful support to the measure of Her Majesty's Ministers.

MR. MACAULAY said: I venture, Sir, to offer myself to your notice for this reason—as a Member of that Council whose conduct is called in question, the first duty I performed was to give my hearty assent to the Minutes of the plan of education; I am, therefore, one of those who have been accused throughout the country—who are accused in this House—of aiming, under an artful pretence of educating the people, a blow at the civil and religious liberties of the country. It is natural, therefore, that I should take the earliest opportunity of vindicating myself from these charges. The hon. Member for Finsbury must excuse me if, in the remarks I shall offer to the House, I do not attempt to follow very closely the course of his speech. The hon. Member must excuse me if I say I should very imperfectly vindicate the conduct of the Committee of the Privy Council by doing so. For, considering the degree of acuteness and ability possessed by the hon. Gentleman, and the excitement produced throughout the country by the conflict of the principles by which society is divided with respect to this question, I must express my astonishment that to these great principles scarcely one allusion was made in the whole course of the speech of my hon. Friend. He brought in local anecdotes—personal anecdotes — he raised questions upon collateral points; but, after listening attentively from the beginning of his speech to the end, I am utterly unable to discover what his opinion is, even on the great fundamental principle that at this moment divides the country—whether the education of the common people be or be not something to which it is the duty of the State to attend. The hon. Member sat down leaving us utterly ignorant of the opinion he entertains on that important subject.

Yet I have no hesitation in saying, that, on the opinion we entertain on that question—on the sense we may have of the duty of the State to educate the people—must altogether depend the view we take of every plan submitted to us for that purpose. When I consider how much excitement has been raised throughout the country on this point, and how large a proportion of the petitions laid on the Table express an opinion I must consider most groundless, I feel it my duty to commence the observations I have to offer to the House by stating in the clearest manner my opinion on that great part of the subject. I hold that it is the right and duty of the State to provide for the education of the common people. I conceive the arguments by which this position may be proved are perfectly simple, perfectly obvious, and the most cogent possible. For what ends was government instituted, is a question on which the most ingenious men have differed; some hold that it is the duty of a government to meddle with the whole system of human life—that it should regulate the operations of trade by prohibitions, expense by sumptuary laws, literature by a censorship, and religion by penal statutes. Others have gone to the opposite extreme, and have cut down the province of a government to what I think is too narrow a limit. But it is quite unnecessary on the present occasion to go into any of these controversial points; for on one point we are all agreed: I say that all are agreed that it is the sacred duty of every government to take effectual measures for securing the persons and property of the community; and that the government which neglects that duty is unfit for its situation. This being once admitted, I ask, can it be denied that the education of the common people is the most effectual means of protecting persons and property? On that subject I cannot refer to higher authority, or use more strong terms, than have been employed by Adam Smith; and I take his authority the more readily, because he is not very friendly to State interference: and almost on the same page as that I refer to, he declares that the State ought not to meddle with the education of the higher orders; but he distinctly says that there is a difference, particularly in a highly civilized and commercial community, between the education of the higher classes and the education of the poor. The education of the poor he pronounces to be a matter in which Government is most deeply concerned; and he compares ignorance, spread through the lower classes, neglected by the State, to a leprosy, or some other fearful disease, and says that where this duty is neglected, the State is in danger of falling into the most terrible disorder. He had scarcely written this than the axiom was fearfully illustrated in the riots of 1780. I do not know if from all history I could select a stronger instance of my position, when I say that ignorance makes the persons and property of the community unsafe, and that the Government is bound to take measures to prevent that ignorance. On that occasion, what was the state of things? Without any shadow of a grievance, at the summons of a madman, 100,000 men rising in insurrection—a week of anarchy—Parliament besieged—your predecessor, Sir, trembling in the Chair—the Lords pulled out of their coaches—the Bishops flying over the tiles—not a sight, I trust, that would be pleasurable even to those who are now so unfavourable to the Church of England—thirty-six fires blazing at once in London—the house of the Chief Justice sacked—the children of the Prime Minister taken out of their beds in their night clothes, and laid on the table of the Horse Guards—and all this the effect of nothing but the gross, brutish ignorance of the population, who had been left brutes in the midst of Christianity, savages in the midst of civilization. Nor is this the only occasion when similar results have followed from the same cause. To this cause are attributable all the outrages of the Bristol and Nottingham riots, and all the misdeeds of General Rock and Captain Swing; incendiary fires in some districts, and in others riots against machinery, tending more than anything else to degrade men to the level of the inferior animals. Could it have been supposed that all this could have taken place in a community were even the common labourer to have his mind opened by education, and be taught to find his pleasure in the exercise of his intellect, taught to revere his Maker, taught to regard his fellow-creatures with kindness, and taught likewise to feel respect for legitimate authority, taught how to pursue redress of real wrongs by constitutional methods? This seems to me an irresistible argument on this subject—that it is the clear duty of a Government to protect the lives and property of the community, and that the gross ignorance of the multitude produces danger to the lives and property of the community; and, therefore, I am at a loss to conceive how, on the very lowest view of the duties of Government, it can be contended that education is not the province of Government. What is the alternative? It is granted that Government must protect life and property from spoliation. By some means it must do this. If you take away education as a means, what do you leave? Why, means which inflict an immense amount of misery, and appeal only to the lowest parts of human nature. Take away education, and what are your means? Military force, prisons, solitary cells, penal colonies, gibbets—all the other apparatus of penal laws. If, then, there be an end which Government is bound to attain—if there are two ways only of attaining it—if one of those ways is by elevating the moral and intellectual character of the people, and if the other way is by inflicting pain, who can doubt which way every Government ought to take? It seems to me that no proposition can be more strange than this—that the State ought to have power to punish and is bound to punish its subjects for not knowing their duty, but at the same time is to take no step to let them know what their duty is. In my opinion, it would seem less paradoxical to say that no Power can be justified in punishing those whom it neglects to teach. Can we see without shame, and something like remorse, that many of those who, in our own time, have been executed in this country for capital crimes, might now have been in life, and perhaps useful members of society; that more than half of those who are now in our gaols might have been free and at liberty; that more than half of those who are now in our penal colonies might have been honourably and usefully employed on their native soil, if the State had expended in forming them into honest men but a small part of what had been expended in inflicting misery on rogues? Sir, looking over the very first report which was presented to the Committee of the Privy Council for Education, and which came from the district of Newport, being framed just after that frantic insurrection of which I do not need to remind the House, I found that, according to that report, it appeared there were about 11,000 children in that district at an age when they ought to have been receiving education, but that of those about 8,000 attended no school, and that a great many of those who did might as well have stayed away for anything useful that they were taught; that the apparatus of instruction was most faulty—that the masters were some of them ruined tradesmen, some of them discarded miners, &c.—men whose sole qualification for tuition was that they were utterly disqualified for any other pursuit. Then, can it be doubted that a population which is reared in such a state, listens readily to the bad man who excites it to rise against constituted authority? They become his ready prey, his unresisting victims. Then follow anarchy, confusion, and an armed insurrection. You, in self-defence, and in defence of the constitution committed to your charge, resort to arms to quell their violence. You have nothing else for it. No choice is left to you. Having neglected the best way to make them obedient citizens, you are forced to take the only mode still left to you, and to fire upon these wretched men. It is under the compulsion, the inexorable compulsion of necessity, that you do so. But what necessity can be more cruel than that of shedding the blood of people who, in all probability, would never have listened to the incentives to crime, if the State had but disciplined their passions and purified their minds by educating them properly? I say, therefore, that the education of the people ought to be the first concern of a State, not only because it is an efficient means for promoting and obtaining that which all allow to be the main end of Government, but because it is the most efficient, the most humane, the most civilized, and in all respects the best means of attaining that end. This is my deliberate conviction; and in this opinion I am fortified by thinking that it is also the opinion of all the great legislators, of all the great statesmen, of all the great political philosophers of all ages and of all nations, even including those whose general disposition is, and has ever been, to restrict the functions of Government. Sir, it is the opinion of all the greatest champions of civil and religious liberty in the old world and in the new; and of none—I hesitate not to say it—more emphatically than of those whose names are held in the highest estimation by the Protestant Nonconformists of England. Assuredly if there be any class of men whom the Protestant Nonconformists of England respect more highly than another—if any whose memory they hold in deeper veneration—it is that class of men, of high spirit and unconquerable principles, who in the days of

Archbishop Laud preferred leaving their native country, and living in the savage solitudes of a wilderness, rather than to live in a land of prosperity and plenty, where they could not enjoy the privilege of worshipping their Maker freely according to the dictates of their conscience. Those men, illustrious for ever in history, were the founders of the commonwealth of Massachusetts; but though their love of freedom of conscience was illimitable and indestructible, they could see nothing servile or degrading in the principle that the State should take upon itself the charge of the education of the people. In the year 1642 they passed their first legislative enactment on this subject, in the preamble of which they distinctly pledged themselves to this principle, that education was a matter of the deepest possible importance and the greatest possible interest to all nations and to all communities, and that as such it was, in an eminent degree, deserving of the peculiar attention of the State. I have peculiar satisfaction in referring to the case of America, because those who are the most enthusiastic advocates of the voluntary principle in matters of religion, turn fondly to that land as affording the best illustration that can be anywhere found of the successful operation of that principle. And yet what do we find to be the principle of America and of all the greatest men that she has produced upon the question? "Educate the people," was the first admonition addressed by Penn to the commonwealth he founded—"educate the people" was the last legacy of Washington to the republic of the United States—"educate the people" was the unceasing exhortation of Jefferson. Yes, of Jefferson himself; and I quote his authority with peculiar favour; for of all the eminent public men that the world ever saw, he was the one whose greatest delight it was to pare down the functions of Governments to the lowest possible point, and to leave the freest possible scope for the exercise of individual exertion. Such was the disposition—such, indeed, might be said to be the mission of Jefferson; and yet the latter portion of his life was devoted with ceaseless energy to the effort to procure the blessing of a State education for Virginia. And against the concurrent testimony of all these great authorities, what have you, who take the opposite side, to show? Against this splendid array of authority you can oppose but one great philosopher, but one great teacher of wisdom, but one man distinguished for his services in the cause of letters and of humanity. Have you, I ask, any thing else to oppose to the concurrent testimony of the wise, and the good, and the great of every age and of every clime? Nothing, except a clamour got up so recently as in 1846; a clamour in which those who engage condemn not only the wisest and the best of those who have gone before them, but even their former selves. This new theory of government may at least claim the merit of originality. It signifies this, as I read it, if it signifies any thing—all men have hitherto misconceived the proper functions of Government, which are simply those of the great hangman of the age; the business of Government is to do nothing for the repression of crime except by harsh and degrading means. From all other means, which operate by exalting the intellectual character—by disciplining the passions—by purifying man's moral nature—Government is to be peremptorily excluded. The only means it may employ are those of physical force—of the lash, the gibbet, and the musket, and of the terror which they evoke. The statesman who wields the destiny of an empire is to look calmly on while the population of cities and towns is hourly increasing. He knows that on the moral and intellectual culture of the bulk of that population the prosperity of the country, nay more, perhaps the very foundations of the State may depend; no matter, he is not to dream of operating on their moral and intellectual nature. He is not to advance their knowledge. He may build barracks as many as he pleases—he may parade bayonets and ordnance to overawe them if he dreads their appeal to violence; if they break out into insurrection, he may send troops and artillery to mow them down for violating duties he never taught them; but of educating them he must not dream. The same holds good of the rural districts. He may see, and shudder as he sees, the rural population growing up with as little Christianity, as little civilization, as little enlightenment as the inhabitants of New Guinea, so that there is at every period a risk of a *jacquerie*—no matter, he is not to interfere. He must wait till the incendiary fires are blazing—till repeated attempts are made on the machinery of the district—till riots occur such as disgraced this country in 1830 and 1831; and then begins his business, which is simply to hang, imprison, or transport the offenders. He sees seminaries for crime arising on all hands around him—seminaries which are eagerly attended by the youth of the population; but he must not endeavour to allure them from those haunts. He may have a thorough conviction on his own mind that if he were to offer the means of wholesome instruction to those youth, a very great number of them would be drawn away from vice, and induced to dedicate their lives to an honourable purpose; but he dare not make the experiment. He must look calmly on with folded arms, and suffer those to become the cancers of the State who might have been made its power and its strength. He must remain inactive till the harvest of crime is ripe, and then he must set about discharging the duties of his mission, which is, to imprison one man, to hang another, and to send a third to the antipodes. If he venture to raise his voice against this system — if he venture to say that it is the duty of a Government to try and make a people wiser and better, he is an enemy of human liberty, an oppressor of conscience, and ought not to be tolerated. That is the aspect in which the new theory presents itself to my mind. It is difficult to conceive how any man of clear intellect and of honourable intentions—as some, I willingly admit, there are, amongst the opponents of this measure — could have brought themselves to view such a theory with favour. The explanation which, from all I can hear and see and read upon the question, occurs to me, is this—I believe this singular opposition is a curious instance of the operation of a law, the operation of which may be traced in many other questions as well—the law of reaction. We have but just concluded a fierce and prolonged contest, the object of which was to extirpate the principle of Government interference in matters of trade. Men's passions have been excited by that contest just over. Much has been said and much written on the advantages of free competition; but now that that principle has been accepted as applied to commerce, it is to be regretted that the same intelligent men who have succeeded in driving the Government out of a province which did not properly belong to it, should conspire to drive it out of a province which is clearly its legitimate domain. Their argument, or rather their fallacy, would appear to be, that, if free competition is good in trade, it must be good in the education of the people as well. "If it be good in regulating the supply of corn and sugar," they say, "it must be equally good in regulating the supply of schools to satisfy the educational requirements of the people." But no argument from analogy can be falser or more absurd than that. In fact, there is no rule of analogy whatever in the two cases. There can be no doubt but that free competition with grocers gives us more sugar, and at a cheaper price, than we could hope to obtain if Government were to turn grocer, and take the whole trade into its own hands. The reason is manifest. The grocers have manifestly a stronger interest in doing what is fair towards the public, than the Government, if it were to monopolise the trade, could possibly have. If one grocer's sugar is found to be worse in quality and higher in price than that of another, he is inevitably ruined. He will have to give up business, he will become a bankrupt, and for his wife and children there will be no refuge but the workhouse; but if his sugar is good and cheap, he grows rapidly rich, sets up his carriage, and aspires to a villa at a watering place. That is the reason why competition in the supply of food is a principle of irresistible potency, and will not brook the interference of the Government. But what class of men, I should like to know, have the same strong and personal—strong because personal—interest in supplying the poor with schools, that the grocers have in supplying them with sugar? None whatever. I do not question but that there may be individuals here and there throughout the kingdom anxious to devote their time and their money to the education of the people, and there may be amongst such persons a benevolent competition to do good; but do not be imposed on; let no fallacy, however ingeniously contrived, so deceive your understandings as to induce you to believe that there can be anything like the zealous and animating contention which is prompted in men's breasts by the desire of wealth or the fear of ruin. Competition to do good to others never sways men's minds so potently as the competition to enrich themselves. Would it not be a strange proceeding to argue for the abolition of the poor laws, because, forsooth, there might be here and there found some benevolent person who felt a Christian pleasure in administering to the necessities of the poor. And yet, if the principle held good in one case, why should it not be applied to the other? Institutions for the education of the people are on every ground the very description of institutions which the Government, as the guardians of the people's best interests, are bound to interfere with. This point has been powerfully put by Mr. Hume. I speak of Mr. David Hume. The sentiment I am about to allude to did not originate with the hon. Member for Montrose; but it is so profound that I am sure he will have no hesitation in adopting it. After laying down very emphatically the general principle of non-interference and free competition, Mr. Hume goes on to make the admission that there undoubtedly may be and are some very useful and necessary matters which do not give that degree of advantage to any man that they can be safely left to individuals. Such matters, he says, must be effected by money, or by distinctions, or by both. Now, Sir, if there ever was a case to which that description faithfully and accurately applies, I maintain that it is to the calling of the schoolmaster in England. That his calling is a necessary and an useful one, is clear; and yet it is equally clear that he does not obtain, and cannot obtain, adequate remuneration without an interference on the part of Government. Here, then, we have the precise case, if we are to adopt the illustration of Hume, in which the Government ought to interfere, Reasoning *à priori*, the principle of free competition is not sufficient of itself, and cannot supply a good education. Let us look at the facts. What is the existing state in England? There has, for years, been nothing except the principle of non-interference. If, therefore, the principle of free competition were in reality a principle of the same potency in education as we all admit it to be in matters of trade, we ought to see education as prosperous under this system of free competition as trade itself is. If we could by possibility have had the principle of free competition fairly tried in any country, it would be in our own. It has been tried for a long time with perfect liberty in the richest country under the heavens, and where the people are not unfriendly to it. If the principle of free competition could show itself sufficient, it ought to be here; our schools ought to be the models of common schools; the people who have been educated in them ought to show the most perfect intelligence; every school ought to have its excellent little library, and its mechanical apparatus; and, instead of there being such a thing as a grown person being unable to read or to write, such an individual ought to be one at whom the people would stare, and who should be noted in the newspapers; while the schoolmaster ought to be as well acquainted with his important duties as the cutler with knives, or the engineer with machinery; moreover, he ought to be amply remunerated, and the highest respect of the public ought to be extended to him. Now, is this the truth? Look at the charges of the Judges, at the resolutions of the grand juries, and at the reports made to every public department that has anything to do with education. Some facts have been adduced by my noble Friend; many more might be referred to. Take the reports of the inspectors of prisons. In Hertford House of Correction, out of 700 prisoners, about half were unable to read, and only eight could read and write well. In Maidstone gaol, out of 8,000 prisoners, 1,300 were unable to read, and only fifty were able to read and write well. In Coldbath-fields, out of 8,000, it is not said that one could read and write well. If we turn from the reports of the inspectors of prisons to the registers of marriages, we find there were nearly 130,000 couples married in the year 1844, and of those more than 40,000 of the bridegrooms and more than 60,000 of the brides could not sign their names, but made their marks. Therefore one-third of the men and one-half of the women, who are supposed to be in the prime of life, and who are destined to be the parents of the next generation, cannot sign their names. What does this imply? The most grievous want of education, for many of the remainder, who have been able to sign their names, may have received an education which has had little operation on the mind; such an education as a large part of those receive who are now at our day and Sunday schools. How many of the day-schools are nothing more than a dirty room, with a heap of fuel on one side, and a brood of chickens on the other; where the only instruments for instruction are a dog's-eared spelling-book and a broken slate? And as for the masters—men who ought to deserve and to receive all honour, and deference, and encouragement, as well upon principle as from their high station, being men who have first educated themselves, and are then to educate those who are to come afterwards; how many of these men are now the refuse of other callings—discarded servants, or ruined tradesmen; who cannot do a sum of three; who would not be able to write a common letter; who do not know whether the earth is a cube or a sphere, and cannot tell whether Jerusalem is in Asia or America: whom no gentleman would trust with the key of his cellar, and no tradesman would send of a message? Yet such are the men to whom you trust the mind of the rising generation, on whom the prosperity and the future eminence of this great country will depend. Let me take some evidence on this point which no one will dispute. Probably all the Members of this House will know the important position which the Congregational Union holds among the Nonconformists. On May 16, 1846, there is a report of the committee of the Congregational Union on the subject of general education, which was made to the union, and the mover of that report adopted its principle. That motion was made by Mr. Edward Baines, jun., and what I am about to read, therefore, cannot be considered as representing any mean opinion. I find it said—

> "If it were necessary to disclose facts to such an assembly as this, as to the ignorance and debasement of the neglected portions of our population in towns and rural districts, both adult and juvenile, it could easily be done. Private information communicated to the board, personal observation and investigation of various localities, with the published documents of the Registrar General, and the reports of the state of prisons in England and Wales, published by order of the House of Commons, would furnish enough to make us modest in speaking of what has been done for the humbler classes, and make us ashamed that England—the sons of the soil of England—should have been so long neglected, and should present to the enlightened traveller from other shores such a sad spectacle of neglected cultivation, lost mental power, and spiritual degradation."

That statement perfectly agrees with all the information I have been able to obtain. I do believe that the state of education among the common people of this country ought to make us ashamed, and that we should present a melancholy spectacle to any very enlightened foreigner visiting our shores. Under these circumstances, what is said? We are told that the principle of non-interference and of free competition will be as powerful a stimulus to education as it is to trade. Why, this morning I received a paper containing reasons for opposing the present grant; and it is said, that if we only wait with patience, the principle of free competition will do all that is necessary for education. We have been waiting with patience since the Heptarchy. How much longer are we to wait? Are we to wait till 2,847, or till 3,847? Will you wait till patience is exhausted? Can you say that the experiment which has been tried with so little effect has been tried under unfavourable circumstances? has it been tried on a small scale, or for a short period? You can say none of these things; and I defy you to show that you ought to apply to education the principle of free competition. That principle is not applicable. As the south of this island has furnished me with one argument, so the north will furnish me with another. We see there a people of ancient lineage, sprung from the same blood, and speaking with some slight diversities the same language; who separated themselves from the See of Rome at the same great emancipation of the human mind; united under one Sovereign; joining in a series of revolts; and then united in one Legislature and nation striving for the good and the welfare of both. Yet there is one great difference. England for many ages has been the richest and the most prosperous among the civilized countries of the world; whilst all men know that Scotland was almost at the bottom, if not quite at the bottom, of nations that have known civilization. It is known that 150 or 200 years ago the names of Scotland and Scotchmen were words uttered with contempt, and that great statesmen and patriots looked with despair on the state of the lower orders. We have already heard this Session of Fletcher of Saltoun. It was at the end of the 17th century that Fletcher, of Saltoun, a brave and able man, who fought and suffered for liberty, was so overwhelmed with the spectacle of misery his country presented, that he actually published a pamphlet, in which he proposed the institution of personal slavery in Scotland as the only way to compel the common people to work. Within two months after the appearance of the pamphlet of Fletcher, the Parliament of Scotland passed in 1696, an Act for the settlement of schools. Has the whole world given us such an instance of improvement as that which took place at the beginning of the 18th century? In a short time, in spite of the inclemency of the air and the sterility of the soil, Scotland became a country which had no reason to envy any part of the world, however richly gifted by nature; and remember that Scotchmen did this, and that wherever a Scotchman went—and there were few places he did not go to—he carried with him signs of the moral and intellectual cultivation he had received. If he had a shop, he had the best trade in the street; if he enlisted in the Army, he soon became a non-commissioned officer. Not that the Scotchman changed; there was no change in the man, for a hundred years before Scotchmen of the lower classes were spoken of in London as you speak of the Esquimaux; but such was the difference when this system of State education had been in force for only one generation: the language of contempt was at an end, and that of envy succeeded. Then the complaint was, that wherever the Scotchman came he got more than his share; that when he mixed with Englishmen and Irishmen, he rose as regularly to the top as oil rises on water. Now was this a perfect system of State education? Very far from it. It was open to very grave objections as to its impartiality between different religious persuasions. The system was open also to many other objections which it is not necessary to particularize; but under this system of State education, whatever were its defects, Scotland rose and prospered to such a degree that I do not believe a single person, even of those who now most loudly proclaim their abhorrence of State education, would venture to say that Scotland would have become the free civilized country it is if the education of her people had been left to free competition without any interference on the part of the State. Then how does this argument stand? I doubt whether it be possible to find, if there be any meaning in the science of induction as applied to politics, any instance of an experiment tried so fully and so fairly, tried with all the conditions which Lord Bacon has laid down in his *Novum Organon,* and of which the result was so evident. Observe, you take these two countries so closely resembling each other in many particulars—in one of these two countries, by far the richer of the two, and better able to get on with free competition, you have free competition; and what is the result? The Congregational Union tell you that it is a result, indeed, to make us ashamed, and every enlightened foreigner who comes amongst us sad. In the other country, little favoured by nature, you find a system of State education—not a perfect one, but still an efficient one—and the result is an evident and rapid improvement in the moral and intellectual character of the people, and a consequent improvement in security and in prosperity such as was hardly ever seen before in the world. If this had been the case in surgery or in chymistry, and such experiments and results had been laid before you, would it be possible for you not to see which was the wrong course and which the right? These arguments have most fully convinced me of a truth which I shall not shrink from proclaiming in the face of any clamour that may be raised against it—that it is the duty of the State to educate the common people. And now I will refer to this Amendment; and first, as to the money part of it. Undoubtedly, if the education of the people is a thing with which the State has nothing to do, the more money we spend the more does it become this House to consider the question and expediency of such expenditure; but if my argument is correct, that it is the duty of the State to educate the people, then I ask, are you prepared, on account of a vote of a few thousands, to withhold the performance of that duty? I believe that, in a strictly financial point of view, the very utmost expense would be infinitely more than compensated by the difference there would be between an educated and an uneducated people. I believe also that what you would be called upon to lay out would be more than compensated by the reduced expenses of your State prosecutions, prisons, and penal settlements; and I cannot believe—having never grudged anything that was asked to preserve the peace and protect property by means of inflicting pain—that you will now refuse to preserve order by this more beneficent means. As to the objection which has been made with respect to the patronage which it is said the Government will possess through means of the appointments, I ask, has my hon. Friend considered that of all the patronage—I will not call it patronage—of all the expenditure of the Government, there is no part of it under a check like that which this expenditure is to be placed under? There is not only a general check upon it, but there is also a particular check applicable to itself alone. Not only must the Government come before us every year for the grant, in the same manner as with the votes for the Navy and the Ordnance, but when we have voted the gross sum, the application of the details is taken under the control, in every locality, of the friends of education—men who will be altogether independent of the Government. Before they can act, they must have actually contributed towards the expense, for otherwise the Government will contribute nothing; and when hon. Gentlemen talk of the Government corrupting the schoolmasters, and of this measure supplying them with the means of jobbing and influencing elections, recollect, first, that the Government does not appoint the schoolmasters; in the next place, the Government cannot dismiss them; in the third place, they can be dismissed by managers altogether independent of the Government; in the fourth place, the schoolmaster will receive nothing whatever, unless those managers, who are altogether independent of the Government, report well of him, and reply that he shall receive it; and that can be no mere formal report, for the condition of it is that, having received 15*l*. of the public money, the managers shall themselves, out of their own funds, pay him 30*l*. a year, and find him a house. Now, where is there a chance of jobbing? Suppose a schoolmaster who belongs to the Dissenting school of Liberal politicians—at Leeds I will say—had been offered (a Conservative Ministry being in power), if he voted for a Conservative candidate, the 15*l*.: if there was any suspicion of that, his Dissenting managers would have nothing to do but withhold the report, and he could not get one farthing of it. Nay, more, if one or two large subscribers, thinking anything of the sort, should withhold their subscriptions, down goes the salary below 30*l*., and he could not get anything from the State. So that the whole details and application of this money are under the very strictest check that it is possible to devise—stronger than this House has ever imposed for any part of the estimates. I should like to know how a job can be done, if when a man comes and asks to make his son an exciseman, you say you will make him an exciseman if he lays down twice the exciseman's salary. Sir, this principle, though in a different form, runs through the whole of this measure. It is perfectly true that no part of the salaries of the public teachers and stipendiary monitors will be paid by the school—at least, what Government grants them is not contingent on what will be paid by the school; but no person can be a pupil-teacher or stipendiary monitor unless the school is kept up in conformity with the preliminary regulations requiring the preliminary outlay, and unless the managers of the school make themselves responsible that during the whole time those pupil-teachers and stipendiary monitors shall go on, the master of the school shall receive the salary. Thus you will have the friends of education spread over the country, of all sorts, of all parties, and acting upon the strongest security ever devised, the payment of their own money. It is impossible not to see the absurdity of the arguments that are brought against this plan of the Government. We are told in the same breath that it will destroy all voluntary exertions, and cost 2,000,000*l*. a year; and in the paper to which I before referred I find that the gentleman who moved that the report be received, put those two things side by side. If that gentleman had taken the trouble to read the Minutes, he would have seen what was the proposition of the Government; and that, whilst on the one hand they leave voluntary exertions untouched, on the other hand, if those exertions are checked, this House will not be called upon to pay one single penny. If ever we shall be called upon to pay 2,000,000*l*., the reason will be that the voluntary principle will have been stimulated to the most surprising degree; for, before any such an amount can be called for, the friends of the voluntary system throughout the country must be so seriously animated as to be prepared to pay no less a sum than 4,000,000*l*. I think I have now answered the objection with regard to the expenditure, and also the objection which has been urged on the subject of patronage. But there is another objection which has been urged by my hon. Friend the Member for Finsbury. He says that this is a most unconstitutional proceeding on the part of the Government. My hon. Friend did not, however, tell us what principle of the constitution it was that the Government had violated. He spoke, indeed, of the proposed Committee of Council as being a self-elected body, a self-appointed body, an unconstitutional body. But this Committee of the Council is just as much a constitutional body as any other body of functionaries in the State. It is a body appointed by Her Majesty's authority, by and under the advice of her responsible and constitutional advisers. In no case can they be considered as self-elected. No one can understand how the Members of the Council can be self-elected any more than a Secretary of State can be self-elected. But what is the constitutional proceeding which my hon. Friend requires? He says that we ought to have an Act of Parliament; but I must say that this is one of the very acts which do not call for any power to be conferred by Parliament. For why is an Act of Parliament, at any time in such a case, required? It is in order to give to the Crown a power of acting which it did not already possess; but in this case the Crown is perfectly qualified to act without any Parliamentary sanction. It is quite competent for the Crown as for anybody else to do all that has been proposed to be done by the Committee of Privy Council; and all that this House is required to do is to give the money to enable the Crown to carry out the plan of the Committee of the Council. Surely, this is acting upon a most constitutional principle. Anybody may do all that the Council have proposed to do, provided they have the money wherewith to do it. Are the acts, as proposed by the Minutes of Council, illegal? Is there the slightest doubt that anybody might do them if they possessed the money? May I not educate children—appoint stipendiary scholars—maintain pupil-teachers—provide monitors—make provision for schoolmasters, and give to them, after years of service, pensions for the remainder of their days? All these acts are perfectly legal, and require no Act of Parliament to sanction them. To pass an Act of Parliament for such a case would be absurd. What the Crown wants is money. Whose province is it to give it? It is the business of this House. To it belongs the peculiar privilege, as in all analogous cases; and can there be anything more analogous than in the provisions which are made every year for the military schools? It did not require an Act of Parliament to establish the Military Asylum at Chelsea. When I was Secretary of War I proposed the establishment of a girls' school in every regiment; but no Act of Parliament was required; and why should there be, when it was in anybody's power to have done the same thing? Therefore is it, in the present case, in the power of Her Majesty to make these regulations for educating the people; and all that she requires of Parliament is the money to enable Her to carry out Her plans. If the Crown were to ask for money for a purpose which was illegal, then there must be an Act of Parliament to sanction its appropriation. I believe this is the sound constitutional definition of the power both of the Crown and of Parliament. The next point which I am led to consider is, the religious objection which has been made. Now, upon that point I do not conceive that my hon. Friend has dealt with the argument fairly, or has put it upon that footing which seems to me to be just. It appears to me utterly impossible not to admit, that, as far as the different religious sects are concerned, the Minutes of 1839 proposed a scheme of perfect fairness. I have read the Minutes of 1845 and 1846; but I speak chiefly with reference to the Minutes of 1839; and after giving them the maturest consideration, I think every care has been taken to obviate the slightest interference on the part of the Government with the various religious sects; and that, as between the Church of England and the Protestant Dissenting bodies, it is impossible for me to conceive a system of stricter impartiality. Will any Gentleman say, that in that system or plan there is an advantage given to the members of the Church, which is not given to those connected with the Baptists, the Presbyterians, the Wesleyans, and with the Church of Scotland? I can find no trace of the kind. The advantage of the scheme is intended for all in common. The Dissenting ministers and managers of schools will have equal authority with the parochial minister of the Church. The boys of the Dissenting schools will be just as eligible to be pupil-teachers and monitors as those of the Church. As to the schoolmasters, there are exactly the same conditions imposed on the schoolmasters of the Church of England as upon the Dissenting schoolmasters. They will enjoy the same emoluments, and, after a series of years of service, will have the same retiring pensions. I wish, instead of using phrases of disparagement against the scheme proposed, hon. Gentlemen would answer this plain question—supposing in any one city there should be a school connected with the Church, another connected with the Wesleyans, and another with the Presbyterians—will any Gentleman distinctly point out to me what share of the public money or what patronage is that which the school connected with the Church will get, and which the other schools will not get? If the school connected with the Church of England, from remissness and mismanagement, fall below the mark, it will not, under these Minutes, get even those advantages which other schools will. A system of more impartiality in principle I am utterly unable to conceive; and I am quite convinced that it will be a system of perfect impartiality in practice, as respects, at least, our great cities and town districts. With respect to another objection which has been made with regard to the establishment of schools in the poorer districts, I admit there may be some difficulty for some time in supplying education to such districts; and the subject has engaged the most anxious thoughts of the Committee of Education. Doubtless, there will be an advantage for the Church in those places where the Dissenters are few, and the members of the Church many; but in some instances the case will be reversed; and when, for instance, the Presbyterians preponderate, then they will gain the advantage, and the Church will go without. But, whichever way it may be, you cannot tell me that the principle is unsound. If there should be 900 members of the Church in a given district, and only 100 Dissenters, then, indeed, the advantage would be in favour of the Church; but, even in that case, the Dissenters would not be worse off than they are now. By the supposition, the district would support only one school, and that would be of the Church; but that can be no injury to the Dissenters; and I do hope that the Nonconformists will remember that they are not so much Nonconformists as not also to be Englishmen and Christians. I do trust, whatever differences of opinion may exist as to the merits of the Minutes of the Committee of Education, that Baptists, Congregational Unions, Wesleyans, Presbyterians, Churchmen, and men of all creeds, will feel that they have a deep interest in the good education of all men. They live on the same soil, and have one and the same interest that the great body of the people should be educated. Take the case, as I said before, of Lord George Gordon's rabble. Was not, I ask, the Churchman as liable to have his property destroyed as a person who belonged to the Dissenting body? Does not our common interest in the security of order, give us a common interest in the education of the people? And I deny what the hon. Gentleman the Member for Finsbury says, that you call on men to pay for an education from which they get no advantage. Sir, there is no man contributing to the education of the people who gets no advantage from it. I utterly deny it. If a Dissenter be surrounded by men belonging to the Church, I deny that that Dissenter gains nothing by having those men made good Christians. I say it is just as much a matter of common interest as the defence of our coast; and no particular person is entitled to say, because he belongs to a particular sect, that he has no interest whatever in, and is not bound to contribute to, the common security and defence of the whole nation. Now, Sir, I think I have gone over all the points. No; there is one other point to which the hon. Member alluded. The hon. Gentleman wishes to have a Select Committee to inquire into the effect of this education—though he did not tell us what he meant by the phrase—on the Queen's subjects. In what way education was to affect their civil rights, my hon. Friend did not think it right to inform us. I think it can be hardly necessary for me to say, that to a population—such as a large portion of the population of England is—if the description given by the Congregational Union be correct, civil liberty can scarcely be more than a name; and it can hardly require a Committee of this House to satisfy us that an improved and extended system of education is a likely or a good way to carry on the war against liberty. And this I must say, that he is a very shortsighted friend of the common people who is eager to bestow upon them vast franchises, and yet who makes no effort to give them that education without which such franchises cannot be beneficial either to themselves or to the State. I have done, Sir; and from the clamour which has been aroused around us, I appeal with confidence to the country to which, in no long time, we must render an account of our stewardship. And I appeal with still more confidence to a future age, which, while enjoying all the blessings of a just and efficient system of State education, will look back with astonishment to the opposition which the introduction of that system encountered, and which will be still more astonished that such resistance was offered in the name of civil and religious freedom.

Mr. ROEBUCK said, he should do little more than show why he disapproved of the plan which the Government sought to introduce. The right hon. Gentleman who last addressed the House, in showing that it was the duty of the Government to educate the people, said nothing except that in which he entirely agreed. He was also perfectly ready to acknowledge that the observations which the right hon. Gentleman made, fully answered the clamours that had been directed against the friends of education out of doors. He agreed that it was the duty of the Government to educate the people; but he felt disposed to carry that proposition somewhat further—he took upon himself to say, that when the Government undertook the education of the people, they ought not, in the first instance, to throw any obstacles in the way of carrying out their own plan. He charged them with throwing aside and forgetting the duties which they owned themselves bound to perform, and with allowing obstacles to interpose in the progress of their operations, which would have the effect of paralysing all useful exertions. The House and the public expected that they would go through with the work which they had commenced. It would not do to cram the House with undisputed and indisputable premises. It would never produce a useful, practical result to make a brilliant display in stating that which no one disputed, for the purpose of sliding in a conclusion so fallacious that no one could yield to it a momentary assent. No one ever heard him say that it was not the duty of the Government to educate the people. No class of persons whose sentiments deserved attention entertained any such opinions. [Sir G. GREY: The petitions say so.] The right hon. Gentleman had that night favoured them with the statement of many propositions from which no one was disposed to dissent. He did not quarrel with him for these—he quarrelled with him for sliding in a fallacious conclusion which his premises did not support. They all knew it was the duty of the Government to educate the people, but they differed as to the manner in which that duty was to be performed; most especially did he differ as to that mode from the hon. Gentleman who sat near him, but who differed widely from him in all matters of politics and religion. That hon. Gentleman stated, he did not say so; but, in effect, he stated, that the people ought to be kept in ignorance. The hon. Gentleman said that all the gaols were filled with educated people; and the inference from that was, don't educate the people. What was the principle that interfered with the progress of education? It was religious animosity: that, unfortunately, governed most of the sects in this country. Fanaticism was found among all of them. Religious hatred and animosity was the general appanage of every class of the religious community. He knew the danger he ran in making this declaration; but what he charged the Government with was, that it sided with one sect in their animosity and hatred to the others. [Mr. MACAULAY: No, no!] The right hon. Gentleman cries "No, no!" but how was the fact? The exceeding ingenious argument of the right hon. Gentleman was this—the duty of the Government was to educate the people; and in educating the majority the minority have no right to complain, provided the majority are educated. [Mr. MACAULAY: I did not say that.] Oh, yes, though, that was the effect of the argument. The right hon. Gentleman supposed that a large majority of the people were members of the Church of England; and he therefore required of every human being that came to his school to learn the catechism, and be subjected to the teaching of the Church of England. Was that a thing of which the minority had no right to complain? He said the minority had a right to complain of it, and to say that they were injured by his proposition. First of all, the minority was to be taxed for the education of the majority. The Dissenter and the Presbyterian were taxed, not only for secular education, but for religious education. But, said the right hon. Gentleman, education was of so mighty a benefit that nobody had a right to complain of it; and therefore he jumped to the conclusion that the minority were not injured, because a great advantage was done to the majority. He agreed in the great advantage of education, but did not acknowledge that the people of this country had not a right to demand at the hands of the Government another and a better system of education than that which was offered to them. This was the real difference between them. The hon. Member for the University of Oxford objected to any interference whatever with the teaching of the Church of England. There was another gentleman, out of that House, whose name had been mentioned (Mr. Baines), who, on the other hand, objected to any education that was not according to his views, and who therefore said, that the State should not interfere at all. The Established Church cried out that none but the authorized version of the Scriptures was to be used. The Roman Catholics, on the other hand, would not take the authorized version, but insisted on being allowed to use their own version; and all being disagreed, the right hon. Gentleman therefore came in and said, "I side with the Church of England;" and every other sect—he begged pardon of the hon. Member for the University of Oxford, who said that his Church was not a sect—every other persuasion must submit to this arrangement. That, he maintained, was a distinct and broad departure from the rule which the right hon. Gentleman prescribed. But the right hon. Gentleman said, they were not friends of the people who were willing to give them great franchises, and who were unwilling to educate them. He, ever since he possessed a seat, had been pressing the subject of education upon the notice of Parliament. The noble Lord, in 1843, objected to the propositions which he (Mr. Roebuck) then made; but that did not prevent his continuing to press those views earnestly and repeatedly. But, now, what was the state of the case? The country was on the eve of a general election. The Government brought forward a plan of education, and they met the objections to their plan by siding with one sect. They told the Roman Catholic, "Never mind, let us get the money—let the general election go on, and then see what we will do for you." This was, after all, only a poor and feeble attempt to conciliate interests which were totally irreconcilable; and so long as the Government of the country mixed up religious education with national education, so long would those evils exist which had been so emphatically and so eloquently described by the right hon. Gentleman. "We will teach religion," said the noble Lord. What religion? His own religion; that was the only one to be taught. The right hon. Gentleman said, "You may have separate schools of Roman Catholics, and Independents, and Baptists; but suppose the case of a small community in a village in the country—there could not be separate schools there; only one school could be established there; and what would be done then?" "Why," said the noble Lord, "I am about to establish schools to teach after the fashion of the Church of England;" and Roman Catholics, and Baptists, and Independents, and Jews, and every other sect, would be excluded. Now, he had been told by the hon. Baronet (Sir R. Inglis) and the noble Lord, that education was not complete, and could not be complete, unless religious as well as secular instruction was given. Suppose, for a moment, and for the sake of argument, he allowed this, he wanted to know what was the business of the Church of England —what it was for; what its hierarchy, what its ministers, what its enormous wealth—what all this was for, but to teach the religion of the Church of England? If the people liked the teaching of the Church of England, they would come to the schools, and they would find there the proper teachers, namely, the beneficed clergy of the Church of England, and by this means would be fulfilled the condition of the hon. Baronet and of the noble Lord; there would be provided for the people of the Church of England a teaching in the schools, and also instruction in religion. But a Dissenter came, and what was to be given to him? An education at the expense of the State, with what he had, and what he was determined to have, a voluntary church; and that the Government could not prevent. This could be done by a system of secular education for every school, by excluding therefrom every peculiar dogmatic teaching. And here lay the fallacy of the noble Lord, who said, "If I do not teach religion, I only perform half my duty of teaching. But had it not entered into the head of the noble Lord, that he only performed half his duty when he so fashioned his schools that they could educate only half the population? He agreed with the right hon. Gentleman (Mr. Macaulay), that the argument as to the increased patronage which the schools would give to the Government, was idle and futile, and without one iota of reason. He conceded this point. He did not complain of the Government upon this head at all; but he did complain that, whereas other votes proposed to the House were specific —that when a vote was granted for the Army, for example, it was voted by items —here was to be a large sum of money voted, and given to an irresponsible Administration. He thought the Administration should come down with a specific plan, and say, "We are going to give so much to one sect, and so much to another sect." But what were they about to do?—why, to come down to the House and say, "Give us so many thousand pounds," which they would give away to-morrow, and distribute as they pleased. That was not the way other monies were voted; other monies were more specifically applied, and he wanted some specific plan proposed to the House, so that the Government might not play fast and loose. He was prepared to acknowledge that if no other plan of national education could be devised, he would accede to the propositions of the right hon. Gentleman and the noble Lord; that, if it were impossible to frame any scheme of education from which all sects of the people could derive equal benefit, he would really adopt theirs. But they must make out their case; they must show that they were unable to obtain a secular education for all sects. The right hon. Gentleman had talked of the rabble of Lord George Gordon, of the Bristol riots, and of King Ludd. He acknowledged the truth of his observations upon this head; but how would the Government plan have put down the fanaticism of Lord George Gordon and King Ludd? What was their plan? Their Minutes would tend to inflame religious disputes; they were endeavouring to give over the body of Dissenters to visionary terrors. He believed that a large minority of the people was against the Government upon this question; and that it was placed in a position in which he sincerely believed no Government had been placed before. He knew the number of petitions that were upon the Table in favour of their scheme; but that was no sign of strength. If the Government had stepped boldly forward, as they ought to have done, and, standing upon the broad principle of religious liberty, had said, "We cannot countenance any narrow views; we believe all sects to be entitled to aid; we think that it is not man's duty or province to judge his neighbour, and we will so endeavour to fashion our schools as that each sect shall be led to love his neighbour, without any dogmatic teaching in any religion;" if the Government had said that, the people of this country would have been of one united feeling in respect to the measure, and the Government would have had a united population; whereas, at the present moment, the people were split into as many mutually hating sects as there were denominations of religion in the country. And all this lay at the door of the noble Lord at the head of the Government. He was sorry to speak with disapprobation of that noble Lord; but he of all men at this time ought to have been the last to be an unpopular teacher of the country. He might have occupied a position high above all; he might have shown how enlarged his liberality was, and, by stepping before, might have led the people on, so as to reconcile one sect with another, instead of involving the whole population in inextricable confusion. The right hon. Gentleman (Mr. Macaulay) had appealed to posterity; his appeal would go down to posterity: all the appeals of the right hon. Gentleman were stamped with immortality, and posterity would admire the eloquence of his appeals. But the right hon. Gentleman belonged to an Administration which had had for many years upon this subject the language of liberality upon their lips; and now, when the time had arrived in which they might without fear enforce their opinions, that very body, so liberal before, shrank from the encounter, trembled when they ought to be firm, and, at the moment when courage was most required, turned tail and fled. Now, if any word of his (Mr. Roebuck's) went down to posterity in the pages of *Hansard*—as they might expect that at all events the appeal of the noble Lord would do—his words, though he pretended not to be a prophet, might yet be found uttering the language of prophecy; and he would now venture to say, that some one would yet step before this so called Liberal Administration on this question; that some one coming after them, and seeing the great fault they had committed, would do that deed in the execution of which they had faltered, and sweep away all the feeling of the people towards the Liberal Administration which had promised so much in regard to education, but fulfilled so little. He fancied that the time was not far distant when that prophecy would be fulfilled; and, as the past was a sort of directing index to the future, perhaps the same hand that struck down the corn law, might possibly erect a real liberal system of education in this country. And then the present Ministry would have to say, as they had been compelled to say before, that they mistook the temper of the times; that they mistook the clamours of the discontented and the interested for the feeling of the national will; and that they were afraid to do what they knew and felt to be their duty, till some more sagacious and courageous men occupied the position they now filled, and discharged the duty they would have attempted, had they not felt they were unable to perform it. He regretted that he should be compelled, in the vote he should give, to say that the principle of the Government plan of education was not the one which the right hon. Gentleman (Mr. Macaulay) had laid down. He agreed with him that it was the duty of the Government to educate; but he asserted that this plan of education was not based upon the principle which he started with asserting, but was a sectarian, unworthy mode of attempting to gain a great end, when, if they had had the courage to take the right means, they had the clear path before them, and when they might have assumed not only that it was the duty of the Government to teach, but might have actually fulfilled that duty.

Debate adjourned.

House adjourned at a quarter past Twelve.

HOUSE OF LORDS,

Tuesday, April 20, 1846.

MINUTES.] PUBLIC BILLS. 1ª Vexatious Actions, Protection against; Insolvent Debtors Act Amendment.

2ª Fever (Ireland).

Reported.—Troops during Elections.

3º and passed:—Mutiny; Marine Mutiny; Indemnity; Exchequer Bills.

PETITIONS PRESENTED. From Guardians of the Penkridge Union, for the Adoption of Measures for the more effectual Prevention of Vagrancy.—By Earl Fitzhardinge, from Clifton, for the Repeal of the Poor Removal Act.—By the Marquess of Lansdowne, from Dissenters of Bristol, and several other places, against, and from Liverpool and other places, in favour, of the proposed Government Plan of Education.—From Gloucester and other places, for the Re-introduction of the Bill of last Session relating to Tidal Harbours.

PUNISHMENT BY TRANSPORTATION.

EARL GREY moved that the Mutiny Bill be read a third time.

The EARL of ELLENBOROUGH was desirous of asking the noble Earl a question. Transportation was the punishment for certain offences under this Bill. Now, the noble Earl by an Order in Council had suspended the punishment of transportation; but by this Bill no provision was made for substituting imprisonment in the case of soldier convicts in India. In Europe such a provision existed; but if it were intended to make the same alteration with regard to soldier convicts in India, it would be necessary to take into consideration the greater degree of severity which imprisonment in that country would inflict beyond what was endured by imprisonment in Europe, and therefore to shorten the term.

EARL GREY said, that the answer he had to make to the noble Earl was very simple. No change whatever was made, or intended to be made, in the law of transportation with regard to soldiers in India. The only difference even in regard to England was this:—Under the existing law, persons convicted of certain offences would be subject to the sentence of transportation. That sentence would still be passed; but the convicts would not at present, at all events, be sent to the convict colonies, but would be kept at home. With respect, however, to the punishment of transportation in India, no Order in Council had been issued to interfere with the existing practice of removing the convicts from that country to Van Diemen's Land. It was intended, no doubt, that the system of sending convicts from this country to Van Diemen's Land should in future be suspended; but with respect to convicts in India no order had been issued, nor was it in contemplation by the Government to make any interference with the existing practice of removing those convicts to Van Diemen's Land.

LORD BROUGHAM said, that he wished to take the earliest opportunity of entering his protest against the new doctrine which had for the first time been promulgated by the present Government, that it was in the power of any Secretary of State, or of the Crown, or of an Order in Council, to alter the criminal law of this land. The law of this country declared, that for certain offences the Judge should inflict the punishment of imprisonment or of transportation. The punishment of transportation was by law intrusted to the Judge; and if the Judge sentenced the convict to transportation, that was the sentence to be carried into execution by the Crown. Such was the law; if, however, any doubt existed upon the subject, their Lordships had the power to apply to the learned Judges and consult them upon it; and if they did so, he (Lord Brougham) happened to have very good reason to conclude what their answer would be. The Judge had the option in certain offences, either to sentence the convict to imprisonment for a period not exceeding two years, or of transportation for a term not exceeding fourteen years; and he should like to know whether, if the Judge should exceed the period of imprisonment by one day, or by one hour, any of their Lordships would tell him that that would not be an illegal sentence; and that upon a writ of error being brought upon that sentence, whether, as a matter of course, the sentence of imprisonment would not go for nothing? That was clear and undoubted. Was it then to be endured that, when the law prohibited the Judge from committing a convict for any period beyond two years, although he might transport the convict for fourteen years, the Crown should, without the consent of Parliament, convert the period of transportation into a period of imprisonment, and thus imprison for fourteen years a party whom the Judge had not the power to imprison for more than two years? It was monstrous; too monstrous for argument. But, if there should be any doubt entertained upon that subject, for God's sake let them set it at rest by appealing at once to the Judges. His noble and learned Friend on the Woolsack, had no doubt considered the matter; and if he had the slightest doubt upon the subject, let them at once appeal to the proper quarter. He, however, was none of those who held that the law of the land was to be altered by the Crown without the assent of the other two estates of Parliament. He had objected to the same assumption of power in the case of the Education Committee of the Privy Council; and his experience confirmed him in the belief that he had good cause to lament that the more constitutional course was not taken with respect to the education question; but here they were dealing with a far more important subject. The liege subjects of the Crown—the people of this kingdom—were to look to know what their duties were, what their rights were, and what the penalties were to which they were liable, not to Orders in Council, not to Secretaries of State, not to speeches in Parliament—no, they were to look at the statute law of the land; and the Judges were to look at the statute law of the land, and to pass the sentence which the law required. Were the people of this country to be told, when the law said one thing, and the Judges said the same thing, that the Crown had the power to say another and quite a contrary thing?—that the Crown should say that a sentence of transportation by Act of Parliament, and a sentence of transportation by a criminal court of record, meant not transportation, but a totally different thing, because it had pleased the Crown, upon some theory of some persons, to determine that transportation should be suspended? But transportation could not be suspended except by Act of Parliament. He (Lord Brougham) should very soon have to present to their Lordships the report of a Committee on one of the most important inquiries which, within his Parliamentary experience, had ever been undertaken—he meant the report of the Criminal Law Committee. Their Lordships would by that report see that the thirty-four Judges of England, Scotland, and Ireland were unanimous upon the subject of transportation. They would there see the opinion of all the recorders who had been examined—of all the governors of gaols who had been examined—of all the chaplains who had been examined—and of all persons who were most qualified by their talents, their office, their experience, and their profession to cast light upon this important subject. And, after presenting that report, and the evidence upon which it was founded, it would be his duty to bring the whole subject before their Lordships; and a more important subject, and one that more seriously concerned both the law and the policy of the country, or more nearly affected the constitutional privileges of the two Houses of Parliament, was never mooted before their Lordships.

Earl GREY said, that the noble and learned Lord had raised a most visionary and fantastical chimera, and had presented to their Lorships a picture of a very alarming character of something which the Government were about to do contrary to their sworn duty. Unfortunately for the credit of the noble and learned Lord, the alarm which he had sought to create was the mere effect of his imagination; for it so happened that there was not any foundation in fact for a single word that the noble and learned Lord had uttered. The noble and learned Lord had told them that he would not sit in their Lordships' House for one moment without protesting against the notion that the criminal law of this country could be altered by an Order in Council. Why, who ever proposed it? He (Earl Grey), for one, never made such a statement. What he (Earl Grey) stated was this, that by virtue of a power conferred by a certain Act of Parliament, Her Majesty's Government had appointed the Cape of Good Hope as the colony in which the punishment of transportation imposed by court-martial should be inflicted on soldier convicts coming from the Island of Mauritius, instead of their being sent to Van Diemen's Land. The Act was framed for the express purpose of giving to the Crown the power of appointing places for the reception of convicts. That power had been exercised, the Cape of Good Hope being considered a proper place to which to send soldier convicts from the Mauritius. So much for creating an Act of Parliament, and repealing the criminal law by an Order in Council. But the noble and learned Lord went on beyond the subject of transportation connected with military convicts, and opened to their Lordships his own very peculiar views upon the general subject of transportation. Now, he (Earl Grey) could not help thinking, since the noble and learned Lord had himself told their Lordships that he had been intrusted with the report of the Committee on the Criminal Law, and that such report was founded upon a great mass of important evidence which the noble and learned Lord was in possession of, but of which their Lordships were not, that it would have been advisable if the noble and learned Lord had abtained from all remark until that report and evidence were brought before them. He (Earl Grey) must beg leave to decline forming his own judgment and opinion respecting that report from the mere statement of the noble and learned Lord, of the nature of which, at the present moment, all their Lordships must necessarily be ignorant; and yet, although the noble and learned Lord knew this, he nevertheless thought it competent, when the question before their Lordships had not the remotest connexion with the subject of that report, but regarded only the Mutiny Act, for him to originate a general discussion upon transportation, not applicable merely to military convicts, but to convicts generally. The noble and learned Lord's remarks upon the general question, it must be obvious to every one, had no reference whatever to the Bill before their Lordships; and he (Earl Grey) could account for the noble and learned Lord's speech from no other reason but from the extreme anxiety of the noble and learned Lord, in season and out of season, with reason or without reason, whether worth their Lordships' attention or not worth it, under all circumstances and on all occasions, to hear his own voice in that House. He (Earl Grey) could conceive no other motive for such a discussion at this time. Though he (Earl Grey) thought he was furnished with a good answer to the noble and learned Lord upon the general subject of transportation, yet he would prefer submitting to any prejudice which his silence might create, rather than anticipate the discussion until the question came regularly before their Lordships. When the noble and learned Lord should redeem the pledge he had given, and should bring the subject forward, he (Earl Grey) should be prepared to maintain and justify the course which the Government had taken, but for the present he should decline entering upon the subject.

Lord BROUGHAM said, that if he had any very vain desire to do that which the noble Earl had, with his peculiar felicity of manner, and with such extraordinary good taste, alleged he was desirous of doing—that of hearing his own voice, he certainly should labour under one great mortification, namely, that he was now speaking in a place where it was not very easy to hear either his own or any one else's voice.

The Earl of SUFFOLK rose to order. The noble and learned Lord had already made one speech.

Lord BROUGHAM observed, that if the noble Earl attended more to the course of their Lordships' proceedings he would have found that there was no one thing which was so little attended to as that of order in their Lordships' House. He (Lord Brougham) would teach the noble Earl a short lesson, which would be of use to him, and save him the trouble of calling any noble Lord to order again. He would tell the noble Earl, that, according to the Orders of the House, nothing was more clear than this, that no Peer should speak when there was no question before the House; but there was no one thing more certain than this, that the constant course pursued by all noble Lords was that of speaking, not only once, but half a dozen times, when there was no question before the House—he himself, of course, not excepted. He begged to inform the noble Earl who spoke last (Earl Grey), that he would discharge his duty as long as he had the faculty of making himself heard, and that when their Lordships should cease to lend him their attention, he should then know that it was time for him to cease to address himself to them upon any subject. He had sat in their Lordships' House for fifteen or sixteen years and upwards, and he had never yet learned, he had never till that moment been told, and that by a sneer—no, he would not term it a sneer—a sneer implied something pointed, something clever, something that sank deep, and embalmed itself in the memory, by having an epigrammatic sting attached to it; but he had been told by the noble Earl, and that in a manner which he should treat with the most perfect complacency, that he (Lord Brougham) had totally misunderstood the object and intention of the Government on the subject of transportation—a subject which, early and late, had engaged his attention for more years than he had been a Member of their Lordships' House. He (Lord Brougham) had never said that the law of transportation was altered by an Order in Council. What he did say was, that the execution of the law was altered; that the law continued as it was before, but that the Government had said that they would not put it in force. He did not mean to argue this point at present, because their Lordships were now upon the Mutiny Bill; but he protested against the expression which had been used in his presence—namely, that the Government had suspended transportation, or that Government could suspend it, without the authority of an Act of Parliament.

Bill read 3ª, and passed.

WASTE TO LANDS, &c., (IRELAND) BILL.

The MARQUESS of WESTMEATH then moved the second reading of the Bill which had been introduced by him, the object of which was to prevent waste of land in Ireland, and to prevent the commission of those acts which were at present unlawful, but which, in consequence of the excessive difficulty which was experienced in applying to the Court of Chancery to prevent them, were suffered to be inflicted on estates in Ireland almost with impunity. He had endeavoured to frame the Bill in such a shape as to meet any possible objection that might be raised against it; in fact, this Bill was neither more nor less than a copy, word for word, of the 9th George IV., c. 56, which had been passed with the view of affording protection to landed property in Great Britain. He was most anxious to have the principle of that law applied to the soil of Ireland. Everybody who was conversant with the proceedings in the Court of Chancery was aware that where any waste to landed property was suspected, the party likely to be injured might apply to that court, and obtain what was called the common injunction on his making out his case to the satisfaction of the court. In Scotland, if any injury to land were apprehended, a remedy was easily to be obtained by application to the sheriff, who immediately restrained the party suspected to be about to effect the injury. But when their Lordships would consider the peculiar circumstances in which Ireland was placed, he thought it would hardly be necessary for him to say more than that the greatest sufferings were now endured in all parts of Ireland, in consequence of the subdivision of land. The only objection which could be raised against this Bill was, that it was calculated to reduce the fees of some of the officers of the Court of Chancery in Ireland; but he did not apprehend that any noble Lord who was connected with the law would rise in that House and oppose the Bill on that ground. At the present time the landlords of Ireland were almost gibbeted by the public odium, on account of their attempts to clear their estates from a number of those incumbrances which had settled upon their estates without their permission or knowledge. Such attempts subjected them to imputations of want of charity, want of intelligence, want of energy, and, in fact, of all the duties which they were bound to discharge towards their tenants. A meeting was held in Dublin in the month of January last, which was attended by the majority of the landed proprietors of Ireland, the object of which was to take into consideration the state of the country. A resolution was passed, against which there was not a dissentient voice; indeed there was not a dissentient voice against any of the resolutions adopted. Men of all politics and creeds in Ireland were present at that meeting; but everything which could cause dissension was forgotten, and their only object appeared to be to relieve Ireland, as far as they possibly could, from the wreck which had befallen her. The resolution to which he referred was proposed by Sir George Hodgson, and seconded by Charles Tottenham, Esq., high sheriff of Wicklow, and was as follows:—

> "That amongst the most prominent evils of the present land system, is a want of a cheap and simple mode of checking waste, and therefore we are of opinion that measures should be taken to remedy this evil."

He did not blame Her Majesty's Government in the least for not having taken up *seriatim* all the suggestions which might have come from any meeting of that nature; but he would say this, that if an individual Member of Parliament came from Ireland conversant as he was, and had been for nearly forty years, with the mode of occupying land there, he did think that nothing but valid reasons should induce Her Majesty's Government to oppose any plan which he might deem it his duty to propose for the remedy of the evils of that system. He had stated in that House, many years ago, the evils which were then in progress in Ireland in connexion with the land system; and this was not the first time that attempts had been made to remove those evils. He held in his hand a Bill which was introduced in the House of Commons in the year 1835, by the late Mr. Lynch, one of the Masters in Chancery, and Mr. M. J. O'Connell, which was very similar to that on which he had now the honour of addressing their Lordships; the object of both being to enable assistant barristers to remedy the grievance, upon application being made to them. That, however, would have been insufficient, because the assistant barristers held their sittings in their several localities only every three months. Now, let them take the case of old grazing land. Every one knew that once the plough was run through a rich old pasture, there was an end of it for many years. It could hardly be restored to what it had been before within the life of a man. How then could the Court of Chancery be able to interfere to prevent such a waste? The mischief would be done before the very application to the court to prevent it could be made. Under such a system, property might be made ducks and drakes of before the landlord could interfere. The rule appeared to be—"law enough, if you please, in Ireland, but no justice." If such a measure were necessary in England, it would be passed through Parliament in five minutes. He could not believe, and he did not believe, that any opposition upon reasonable grounds could be given to the Bill. He rested upon their Lordships' good sense, and begged to move that it be read a second time.

The LORD CHANCELLOR hoped that the noble Marquess would not persist in pressing his Motion. He had stated that the provisions of the Bill were taken verbatim from an English Act of Parliament, and he had grounded upon that fact one of his arguments in its favour. But he (the Lord Chancellor) found upon referring to the Act, that its provisions were enacted to be confined to Ireland, and not to be extended to England or Scotland. [The Marquess of WESTMEATH inquired to what Act the noble and learned Lord referred?] To the Act 9th Geo. IV., c. 56. He would read the preamble of that Act to the House, and their Lordships could judge. His Lordship accordingly read the preamble, and also the clause providing that anything contained in the Act should be construed as extending to Ireland only, and not to England or Scotland. Now, that Act contained provisions for preventing the waste of property by the pulling down of houses. But the noble Marquess thought it an excellent precedent for passing an Act against the building of houses. The former Act provided that if there should be reason to suppose the parties intended to demolish houses, an inquiry should be instituted in order to prevent the committal of a waste which could not be easily remedied. But the noble Marquess would have a sufficient remedy as the law stood for the building of a house, because he would only have to order it to be pulled down again. But there was another provision in the Bill to prevent the letting of land to what are called "cottier tenants." Now, it might be very reasonable and proper to prevent the subdividing of property, and the letting it go into the hands of persons of very small means, and with very small occupations. He did not think, however, that the Bill was calculated for such a purpose, but that it was rather directed to the interests of the landlords. He had every desire to see the landlords of Ireland, or any others, protected in their rights; but he thought it very extraordinary that the noble Marquess should extend the provisions of his Bill to those persons who least of all required to be legislated against—he meant the tenants from year to year, and tenants at will. What necessity could there be for making special provisions against such persons, when there was nothing to be done by the landlord but to determine the tenancy? Now, the Bill proposed to prevent not only persons so circumstanced from building, but to prevent any person from letting off any portion of their land to "cottiers." Here a term was used unknown in this country. The Imperial Parliament legislated always in words that were common to the three kingdoms; and it would be necessary they should know what was the meaning attached to the word "cottier." If the noble Marquess could make any other suggestion by which the object of the Bill could be obtained, without injustice, there would be no objection to its adoption; but it was impossible to assent to the present measure.

LORD BEAUMONT agreed with the noble and learned Lord that the great evil with which they now sought to deal would not be met by this Bill; its provisions were too loose and its application too undefined; but the House ought not, on that account, to lose sight of the object the proposed measure professed to have in view. The question now mooted lay at the very root of the misery which overwhelmed Ireland. Unless some steps were taken to place on a sound footing the relations between landlord and tenant, he despaired of any permanent good result from any attempt to legislate for that unfortunate country. They could not plead ignorance of the subject, for the most minute details respecting the management of certain estates were now open to their inspection. They might now see how the most powerful landlord in Ireland, assisted by the most powerful agents, and employing the most able stewards, managed his property and dealt with the tenantry on it. He had long known the little influence the owner exercised in the distribution of his farms; but he had thought that the cause was, partly at least, want of energy in his agents. He had heard much about hard landlords and ejected tenants; but he now knew who were meant by the former, and what were the merits of the latter. He had only become thoroughly acquainted during the last few days with the manner in which the landlords did their duty in that country. His information was derived from the papers which had been laid before their Lordships; and he would ask, if such a landlord as he to whom those documents referred, with such agents at his disposal, could not effect more good in the management of his land than was detailed, what could they expect from the individual man, possessed of but ordinary means, and whose every step in the maintenance of his position was attended with risk and danger to his life? The landlord to whom he alluded was the Crown; the agents to whom he alluded were the Board of Woods and Forests. He would briefly relate how they had managed their land, and enumerate the difficulties to which they had been exposed, and their Lordships might then indeed despair of succeeding in any effort to effect a good understanding between landlord and tenant. The Crown was the proprietor of land in Ballykilcline, in the county of Roscommon, consisting of 602 acres, the whole of which was managed by the Board of Woods and Forests, as part of the Crown property. The tenants were all tenants at will, and the aggregate rent of this land was set down at 411*l*. In 1835, there were seventy-four distinct tenancies, but none holding under any lease. In 1836, there was experienced great difficulty in collecting the rents, and in consequence the Board determined to serve notices to quit on every tenant. They did so in 1837, and the result was curious. Fifty-two of the tenants agreed to give up possession, and they became, with the consent of the Crown, caretakers of the property. The remaining tenants refused to quit, to enter into any compromise, or to pay one sixpence of the rent. The caretakers were subsequently asked to give up possession; but, though by the arrangement into which they had entered, they had admitted the right of the Crown and their own defalcation, they also held out, and would not leave the premises, nor, on the other hand, pay a farthing of rent. They said they were determined to remain there in spite of the Crown; and so they did. The Board then sent an agent over to try if he could get some portion of rent; the agent called the police in; but the police were not strong enough, and not one farthing was obtained. Some time after, in 1842, the clerk of quit rents, by the direction of the Board, visited the estate; he found 463 subdivisions, he served notices on all the tenants to meet him on a certain day: two only came. He investigated the case of some of the defaulters; one (Fitzmaurice) had sold his interest, in the holding of which he was only tenant-at-will, for a considerable sum of money, and had gone to America without paying a sixpence rent: many were in good circumstances, and had money, but refused either to pay rent or quit. Processes were served, but not without great difficulty, against eight occupiers, against whom an information of intrusion had been filed, while the rents due from the other tenants were put in charge of the collector of exise. He, however, collected none. The eight never appeared to the writs. Attachments were issued for non-appearance. They could not be executed; the process-server was attacked; a squadron of cavalry was called into requisition, but all to no purpose. The Board then commenced proceedings against the sheriff for not having done his duty in enforcing the processes. The unfortunate sheriff was in great distress; he redoubled his exertions; and having stayed out for several nights, at last was so far successful as to take two out of a great number of tenants into custody. In 1844, by means of cavalry, infantry, and police, possession of four tenancies was taken by the sheriff; but those who had been ejected went back again, broke the bolts, and retook possession. A gentleman of the name of Knox was then appointed to the situation of bailiff, and he declared that he could not discharge his functions without a police station in the near neighbourhood. He proceeded against three of the parties who had unlawfully taken possession, and, in consequence, was assaulted. His bailiffs were nearly murdered, and he himself threatened, and his property destroyed. He, however, resolutely instituted proceedings against the parties for an assault, and for recovery of possession. Here occurred a tragic scene in this strange and eventful drama. One of the witnesses who was subpœnaed was barbarously murdered, and when the trials came on, there was an acquittal in the case of the assault, and a verdict was returned for the defendants in the case of the men who had been ejected and had afterwards returned. The Board then no longer thought of obtaining justice in the ordinary way. They, therefore, next adopted proceedings by information in equity, and in 1846 a decree in favour of the Crown was obtained. The tenants, however, were not to be beaten so easily. They kept a paid attorney, who was to propose terms to the Crown. A memorial was forwarded from the tenants; an arrangement for a decision of the dispute was then negotiated; a day was fixed when the agent of the Board and a deputation from the tenants should meet; and not one of them kept the appointment. Delay was their object, and that object they gained. Not one sixpence had been received in the way of rent by the Crown from 1837 to this day. The tenants were still there, free of rent and fear. They had multiplied on the land and subdivided, and they now lived in security. They had beaten the police, the cavalry, the infantry, the bailiff, and the Woods and Forests, and they enjoyed their triumph. The Crown had incurred heavy expenses in endeavouring to assert its right. Its law expenses alone were 468*l*. All it had gained, therefore, was, as he might say, a loss. And if this was the manner in which the Crown was set at defiance, when in the capacity of landlord in Ireland, what could they expect from the ordinary proprietor? Let them hear no more of the landlords not doing their duty. They could not do their duty if they were not allowed their rights; the fulfilment of their duties in many cases depended on the exercise of their rights. The landlords could no more be charged, as if it were a crime, with ejecting their tenants; it was now proved that, with all its power, the Board of Woods and Forests had been compelled, as a last resourse, to adopt the system. Let the House consider the manner in which the two juries had been intimidated; the dangers both the agent and the sheriff were exposed to, as well as the arguments in favour of the lawless occupiers used by their attorney; and they would see the necessity of some more stringent law. There was a large surplus population, which would be better relieved by a poor law, than by being absorbed into the mass of the labouring classes. In either case it would fall on the land; but in one the relief would be arranged upon some system, in the other it would depend on accidental circumstances. It was useless, however, to legislate either for relieving the poor by rates, or finding them labour by loans to the landlords, if the land was not brought under the more direct control of the rightful owners. He hoped that the Government would introduce some measure that would enable the landlords to exercise their rights; and when that was done, he would be as strong as any of their Lordships in condemning those landlords who should, at the same time, neglect to fulfil their duties.

Lord CAMPBELL thought the measure calculated to aggravate all the evils it professed to remedy; if the noble Marquess intended to withdraw the Bill, he would not make any observations upon it.

The Marquess of WESTMEATH would not concede that the noble and learned Lord knew more of the state of Ireland than he did.

Lord CAMPBELL did not question the right of the noble Marquess to bring forward the Bill, and imagined all that was necessary to form an opinion of it was a little plain common sense. The noble Marquess was wholly mistaken in supposing there was any such law as this in England or Scotland. He would give every justice of the peace in Ireland, both county and borough justices, the power of issuing an injunction for erecting and taking down buildings. If such a power were given to magistrates in England, it would cause the greatest possible mischief. The law was entirely new, and it was proposed to introduce it for the first time in Ireland. Most of the evils of Ireland arose from the continued parcelment of the land, by which a population was created without employment or sufficient food. That was a tremendous evil; but the measure of the noble Marquess did not meet it. The inconveniences and evils of Chancery administration were complained of in England; but the noble Marquess proposed to open 500 courts of chancery in Ireland. Giving the noble Marquess credit for excellent intentions in bringing the measure forward, he thought he had mistaken the course. If the Bill were not withdrawn, he should feel it his duty to move that it be read a second time that day six months.

Lord MONTEAGLE urged the noble Marquess not to press his Bill to a division; he objected to it that the individuals who would be invested with its powers must be, in their own persons or by the class to which they belonged, parties as well as judges in the case. Still, the question involved was one of the most pressing necessity; the operation of the law had been impeded, even when it was enforced on behalf of the Crown by the Board of Woods and Forests. The noble Marquess deserved credit for bringing in the Bill; he should be sorry to see it prejudiced by forcing it to a division; but if it were rejected, the Government were bound to provide a remedy. Much was said of the harsh conduct of the landlords; the law should protect the landlords against the acts of their tenants, and make such harsh conduct unnecessary. There were circumstances connected with the land in Ireland, even under the very best management, which exposed individuals to unmerited obloquy.

The Marquess of WESTMEATH said, that the purport of his Bill had been entirely misunderstood. He regretted that the noble and learned Lord on the Woolsack had used so puerile and miserable a weapon as ridicule against a Bill brought forward with an honest intention of remedying the difficulty Irish landlords laboured under. And then, when, bowed down by their obligations and the chains that fettered them, they came to Parliament for a measure to rid themselves of the disadvantages which obsolete laws and modern blunders had placed them under, they were held up to ridicule by the noble and learned Lord on the Woolsack, instead of his saying, honestly and justly, "The Bill will not work; but I will frame a measure on the subject, if you will supply me with facts." The sheriffs in Scotland had an equitable jurisdiction in such cases; and it was the defect in Ireland that the assistant barristers had no such powers. If a tenant was about to do an act that would be manifestly injurious to the land, they were obliged to apply to a Court of Chancery, perhaps two hundred miles off. He should withdraw the Bill; and, though it was done ungenerously, yet the noble and learned Lords who opposed it had acknowledged the evil, and he considered them bound to provide the remedy.

Bill withdrawn.

House adjourned.

HOUSE OF COMMONS,

Tuesday, April 20, 1847.

Minutes.] Public Bills.—1° County Buildings; Ecclesiastical Commissioners.

2° Punishment of Vagrants, &c. (Ireland).

Petitions Presented. By Sir G. Clerk and other hon. Members, from a great number of places, against the Marriage (Scotland) Bill.—By Sir M. Cholmondeley, and Alderman Thompson, from Lincoln and Westmoreland, against the Roman Catholic Relief Bill.—By Lord E. Howard, from Northumberland, in favour of the Roman Catholic Relief Bill.—By Mr. Brotherton, from Devonshire, against the Use of Grain in Breweries and Distilleries.—By Viscount Palmerston and Mr. Ricardo, from Southampton and the Staffordshire Potteries, against the Rating of Tenements (No. 2) Bill.—By Mr. Dashwood, from Buckingham, respecting Remuneration to Tax Assessors and Collectors.—By Mr. Antrobus, from Surrey, for Repeal of Duty on Windows.—By Mr. T. Duncombe, from Boulton, for Repeal of the Anatomy Act.—By a great many hon. Members, from an immense number of places, against the proposed Plan of Education.—By a number of hon. Members, from a great number of places, in favour of the proposed Plan of Education.—By Mr. Brotherton and Mr. Romilly, from Mid Lothian and Bridport, against the Factories Bill.—By Mr. Traill, from Dunnet, for facilitating Transportation of Grain and Provisions to Ireland and Scotland.—By Lord H. Bentinck and other hon. Members, from several places, against the Hosiery Manufacture Bill.—By Mr. Duncan, from Dundee, for Repeal of the Poor Law (Scotland) Act.—By Sir John Owen, from Tenby, in favour of the Ports, Harbours, &c. Bill (1846).—By Admiral Gordon and Mr. T. Mackenzie, from three places, against the Registering Births, &c. Bill.—By Sir G. Clerk and other hon. Members, from several places, against the Registering Births, &c. (Scotland) Bill, and Marriage (Scotland) Bill.—By several hon. Members, from a number of places, for Compensation respecting the Registering Births, &c. (Scotland) Bill, and Marriage (Scotland) Bill.—By Mr. Stewart, from Lymington, for referring Disputes to Arbitration.—By Lord J. Stuart, for Alteration of Law respecting the Warehousing of British Spirits.

ECCLESIASTICAL COMMISSIONERS.

Lord J. RUSSELL moved for leave to bring in a Bill for amending several Acts for the appointment of Ecclesiastical Commissioners for England.

Sir R. H. INGLIS asked the noble Lord whether the present Motion was that on which it was understood he would make a general statement with respect to the Ecclesiastical Commissioners. If it were, it would be evident, from the state of the House [*which was then well attended*], that it was expected he would make that statement. However, if he intended to press the present Motion, he (Sir R. Inglis) would not raise any opposition; but he hoped the noble Lord would state when he would make his statement on the subject.

Lord J. RUSSELL said, that with respect to the Bill he proposed to bring in, he intended to make his general statement as to the objects and purposes on the second reading of the Bill. As to that expectation to which the right hon. Baronet referred, he did not conceive there was such a feeling on the part of the House; but it certainly was not his intention to make any statement as to the Ecclesiastical Commission in reference to the present Bill. He could inform the right hon.

Baronet that the new Committee had that day agreed to their first report, which would be immediately laid before both Houses of Parliament. And whenever any Bill founded on that report were brought forward in the House, or sent down to them from the other House, he would take that opportunity of making his general statement.

Leave given.

SUPPLY—GOVERNMENT PLAN OF EDUCATION—(ADJOURNED DEBATE).

Mr. EWART said, that he was desirous of approaching the present subject with a calmness proportionate to its importance, and disproportioned to the degree of excitement which it had created. But whatever had been the excitement out of doors, he trusted that the real friends of education would, within the House and out of it, unite in the common cause. He had always been an ardent supporter of education; but when he had first read the Minutes, he had been struck by their want of comprehensiveness. Even so obvious a subject as the ancient grammar-schools of the kingdom had not been noticed in them. To constitute a national system of education, it ought to be founded upon the representative system—founded upon a plan of local rating. This was the system adopted in America, to which the right hon. Gentleman the Member for Edinburgh had last night directed their attention. The same was the case in France, where, under the plan of M. Guizot, the communes conducted their own educational affairs. It was true, that if the communes could not do it, the departments did, and if the departments could not, the Government did; but that was only in the last instance. Even the same plan was virtually adopted in Scotland, where the heritors appointed the masters of the schools. The disregard of these principles had been the fault which had presented itself to his notice at the outset; but he had always contended that the Government might give aid to the education of the country, and he should now act consistently with that opinion. But the Government should not interfere. They should rather aid and support the tendencies of the people in favour of education, than force it on them. Secondly, the education ought to be thoroughly of an English character. Exotic systems like the Prussian system could not be adopted in this country. Lastly, the Government should not attempt to interfere with opinions, least of all with religious opinions. If, instead of forcing any given set of opinions upon the people, the Government were rather to furnish them with the means of forming opinions, it would entitle itself to the lasting gratitude of the country. Looking, then, at the plan before them, he should begin by stating the points in which he agreed with the Government. It appeared to him that the principle of pupil-teachers and stipendiary monitors formed the essential element and leading characteristic of the plan which the Government proposed to the House. This, he regretted to observe, was connected with an undue degree of control; but, notwithstanding this, he did think that many of the charges brought against the Government scheme were most unjust. Again, he thought it unjust to charge the Government with intentionally favouring the interference of the Church. Upon these grounds he gave in his adhesion to the main principles of the measure, namely, that of pupil-teachers and stipendiary monitors, and through their agency to the formation of a more complete normal system than had yet been attempted. He had always held that to influence education they must begin with the character of the masters; and therefore he approved most cordially of that part of the Bill which was intended to elevate their condition and qualifications. He approved also of that part of the plan by which schools of industry would be established as well in the rural districts as in the towns. He likewise assented to the principle that normal schools should be formed for those who were afterwards to become teachers in prisons and in workhouses. No one without due qualification ought to be allowed to undertake the duty of teaching in gaols and workhouses. He should now come to that part of the measure against which he entertained some objections. In the first place, he objected generally against the schoolmasters being made teachers of religion. Religion was not the province of the schoolmaster. He certainly might inform his pupils upon the great general principles of religion; that was, if the parents of the pupils could be prevailed upon to agree as to what those principles were. If neutral ground could be discovered, there was no reason why the schoolmaster should not take his stand upon that undisputed territory. When he said that the schoolmaster's province was not to give instruction in religion, he, perhaps, ought to have qualified the proposition by saying that the schoolmaster ought not to become a teacher of theology. It was said, let the Scriptures be every day read in the schools. He should, of course, be one of the last to object to the reading of the Scriptures at proper times and places; but to him it seemed that going through the Scriptures mechanically did little towards the advancement of true religion. The religion which he desired to see inculcated in schools, was the religion which would touch the heart and influence the conduct of the pupils. The deep spirit and pure doctrines of the Christian religion were not to be learned by hearing the periodical recitation of Scripture passages. Religious teaching by schoolmasters was a system which had been unsuccessfully tried in Holland; but in a year or two after introducing it, they were obliged to alter it. When the corporation schools of Liverpool were established —the greatest monument in the town raised by the reformed municipality—they were founded upon the principle that the clergy of all denominations should instruct the pupils; and the pupils, after meeting upon the common ground of secular instruction, were afterwards taught by their own ministers the doctrines of their several denominations. He was favourable to making the clergy, and not the schoolmasters, teachers of theology. These were the main general objections which he thought it necessary to urge. His more special objections were these: In the first place, although he was most anxious to see schoolmasters elevated in the social scale, it was not a good plan to attempt to elevate them by giving them retiring pensions from the Government. More or less, it created dependence upon, or at least undue connexion with, the Government. The system adopted in France would have been much better; there the schoolmasters had a kind of savings bank, by means of which provision was made for infirmity or old age. He objected also to the occasional grant of gratuities to schoolmasters. Who was to decide upon the giving of these gratuities? He objected, again, to the Minute which stated that where pupil-teachers in the normal schools were unsuccessful as candidates, they should have a chance of an appointment to some office under Government. This appeared to him a proceeding open to much doubt as to its policy. It invited any man unfit to be a schoolmaster to become one. It taught him to say, "If I do not succeed as a schoolmaster, I may have a chance of becoming an exciseman." The probability under such circumstances was, that the man who began by making a bad schoolmaster, would end by becoming a bad exciseman. In his opinion, it would have been wiser, and justice would have been better done to the general cause of education, by throwing open these Government appointments upon the principle of free competition, the best man to have the place which all contended for. These objections, however, had not determined him to act hostilely towards the whole measure. They had rather induced him to endeavour to frame amendments, though he feared that the mode in which the measure was brought forward, precluded the usual facilities for that purpose. And what was it that disposed him not to offer any opposition, further than the amendments of which he had given notice, to the plan of Her Majesty's Government? It was the traces which he saw in some portions of the plan, of the elements of progress. It was a progression from a worse to a better system. It was certainly not a progression so considerable as he could have wished, nor was it entirely of the nature he could have desired; still it was a progression, and therefore he could not feel himself at liberty to vote for the Amendment of his hon. Friend the Member for Finsbury. The grant must always come annually before Parliament. The Minutes must be brought forward upon the responsibility of Government. He was anxious to increase the responsibility of Government on the subject of education; and he trusted they would make an annual statement of all they had to do with the education of the people, from the lowest schoolmaster up to the British Museum. This measure added to the responsibility of Government; and as the people would every year have the great subject brought before them, they would feel they had obtained a greater degree of power over their educational system as a nation. He deeply regretted to find that some of the best friends to education in this country were disunited upon this measure, more from feelings of sectarianism than from views of a more generous or philosophic character; and that, in the language of Hudibras—

> "Civil and religious fears
> Set folks together by the ears."

He hoped, however, that these civil and religious fears were more imaginary than real, and that, though the friends of education were disunited for a time, they would not remain in a lasting state of disunion. If the Government showed they were impartial—if they showed no favour towards any sect—if they proceeded at once fairly and fearlessly and firmly—they might accomplish much good, and reconcile many adversaries. He was willing to give them credit for wishing to accomplish that which they had the power, and which they ought to have the inclination, to do. If they thus acted, and if Parliament fulfilled its duty, he should not despair of the cause of education. For these reasons, after much hesitation and much deliberation, and not without an ardent feeling for the general welfare, amidst all the partial dissensions which surrounded them, he should give his vote in favour of the measure proposed by the noble Lord, as distinguished from the proposals of his hon. Friend (Mr. T. Duncombe), reserving to himself the right of supporting other amendments, if he judged fit, and of bringing forward his own.

SIR C. NAPIER said, if he were to consult his own wishes, he should be content to give a silent vote upon the present question, because there were many in that House much more capable of handling the subject than himself, and he felt a great disinclination to meddle with matters that he did not understand. But representing, as he did, a large metropolitan district deeply interested in the question, he thought it his duty to trespass for a short time upon the attention of the House. At the same time, he denied that either himself or his Colleague had been summoned before their constituents, or instructed to oppose the present Bill; neither had they been overawed in their deliberations by any pressure from without. He knew not whether the noble Lord at the head of the Government referred to him the other evening when he spoke of constituencies having overawed their representatives; but he could tell the noble Lord that he was not to be overawed by any constituency, or by any Government, or by anybody else, when he thought he was honestly discharging his duty. The noble Lord stated the other evening that nearly a million children were educated in the National schools—that the liturgy and catechism were taught in those schools—and that the children were obliged to attend church. He said, moreover, that the Committee of Education neither approved nor disapproved of that plan; but he added that he hoped the Church would be more liberal, and that, like the Dissenters, they would not force any particular form of religion upon the children. It appeared to him that if the views of the noble Lord were followed out, the result would be very nearly a secular system of education. Under the proposed plan it was obvious, when they considered that it was utterly impossible to connect a school with every church and chapel, that in many cases the children must either attend a school where a religion was taught which they did not like, or they must be content to go without education altogether. He (Sir C. Napier) could see no reason why, if secular education were given to all the children of this country during the week, the clergy might not give them religious instruction upon the Sunday. Would there be any danger of the children being without a religious education, if they were generally taught in that manner, as they were at present in many small districts? There would be no danger if that course were adopted; but he feared that the clergy, and the higher clergy particularly, would consider that as a great imposition upon them. The Church did not choose to take upon itself the trouble of educating its own people, and unless they obtained the assistance of schoolmasters they were willing that the children should go without education. He was sorry to state this; but he gave it as his conscientious opinion. If the Church of England generally adopted that system, no doubt Dissenters would do the same; and he saw no difficulty whatever in the way of thus securing to the children a good secular and religious education. The right hon. Gentleman the Paymaster of the Forces, in an eloquent speech, stated last night a great number of reasons why the people of this country should be educated, and referred to the Gordon riots, the Bristol riots, the Nottingham riots, and the outrages of Swing and Rock, as the result of the lamentable state of ignorance in which the people were plunged. He thought, if they gave the people the best education in the world, these things might still occur; but if the right hon. Gentleman were right, he should like to know why Catholics were to be excluded from the provisions of the Bill. These were his main objections to the principle of the Bill; but he had also great objections to its details, which he believed were shared in by a great number of Dissenters, and by many members of the Church of England. The appointment of inspectors of Dissenting schools rested with the Government, subject to the approval of the managers of the different schools—

Sir G. GREY: The gallant Officer is not quite right. The appointment of inspectors of Church of England schools rests with the Government, subject to the approval of the Archbishop of the province; and the appointment of inspectors connected with the British and Foreign schools, which represents different denominations of Dissenters, rests with the Government, subject to the approval of the committee of that society.

Sir C. NAPIER continued: There were many other points of detail to which he objected. He did not think, for example, that the system of training assistant teachers would be found to work satisfactorily, for it would be very difficult to persuade children of tender years to quit their homes in order to enter upon such an occupation. At the same time he did not agree with those who objected to the appointment of certain of the assistant teachers to offices under the Government; neither did he believe that there was any intention towards patronage on the part of the Government in making that proposal; but he believed if the places were distributed impartially, alike to Dissenters and Churchmen, the system would be attended with advantage. Considering, however, that they excluded the Catholics altogether, and that they would also in point of fact exclude a large number of Dissenters from the blessings of education, he felt bound to oppose the present measure.

The Earl of ARUNDEL and SURREY would not enter in detail into the position of the Dissenters, because that would be much better done by others. He would confine his remarks to the effect of the proposed measure on the body to which he belonged (the Roman Catholics). It was not without a painful struggle that he had made up his mind to the course he should pursue on this occasion. He had, however, endeavoured to look at the question on both sides. On the one side he found a grant made by the State for the purpose of education, from participation in which the Roman Catholics alone were excluded; and he would ask how could the Roman Catholic Members be expected to vote money which Roman Catholics would pay as well as others, but in the benefits of which they were not allowed to share, and which was to be spent in aiding the inculcation of doctrines which they conceived to be erroneous? And further, he would ask, how could the Roman Catholics, as the advocates of religious liberty, refuse to join those who on this question were engaged in the same cause? It was true the noble Lord had told them, that the Committee of Council did not consider themselves precluded from considering the position of the Roman Catholics hereafter; but he had not said to what extent or when it would be so considered. The Roman Catholics, he considered, were entitled to complain, and did complain, of their exclusion as an infraction of that rule laid down in the correspondence of the Committee of Council, where they say that they respect the rights of conscience. But, while he thus considered that the Roman Catholics had a right to complain, on the other hand he saw the country in a state of deplorable ignorance—the gaols filled with persons who could not read or write, who did not know the name of their Creator, and were altogether in a state of ignorance the most lamentable. It was additionally hard on the Roman Catholics that they alone, of all religious bodies in the kingdom, were to be excluded from a share in the attempt, by a great national measure of education, to rescue the people from ignorance—the Roman Catholics, who had sent missionaries all over the world to explain the principles of religion, and inculcate the truths of Christianity. It was painful that they were not to be permitted to assist in that work; but still he did not wish, like the dog in the manger, to stand in the way of the education of others, because he himself had been refused assistance. He would not refuse to others what they refused to him; but he would throw over every feeling of jealousy, and would give his support to the scheme of the Government. And he need not say that he supported it, not because it was a Government scheme, but because he considered he was discharging his duty in adopting such a course. He relied with confidence on the justice of the British people. Though they had strong prejudices against his faith, he yet believed that their sense of justice was greater than their prejudice, and that they would themselves ere long petition for a grant which so many were now endeavouring to prevent the Catholics obtaining. He did not cast any reflections upon the prejudices entertained by so many Englishmen. Bigotry and fanaticism were terms rarely advantageously used—often entirely misapplied. He looked with plesure and pride upon the deep religious feeling of the people of this country, and he delighted in the idea that when they were the most disturbed, it was religious feeling by which they were excited. He preferred the "iron-sides" of Cromwell to the demons of the French revolution. He looked upon that deep religious feeling as the offspring of the old English faith—that faith was banished, but the strong religious feeling still remained. If that religious feeling were accompanied by some shade of intolerance, let them treat it with tenderness, and soothe it with love; let them cherish the religious feeling, and trust to God for the faith.

Mr. SEYMER said, the hon. and learned Member for Bath had last night complained that the Government scheme was not a complete one, because it did not run counter to what he was pleased to term the fanaticism of the country. But, whatever might be the amount of the present opposition to the Government plan, he was convinced it would have increased tenfold, and would have been found irresistible, had they attempted to propose a scheme omitting wholly religion from their instruction. There were some persons in this country—he trusted there were none in that House—who viewed all religions alike; who thought there was no such thing as religious truth; and who held what were commonly called very liberal views with regard to education. But he (Mr. Seymer) did not call such men "liberal"—he called them "indifferent." The man was liberal who, having strong opinions of his own, was yet tolerant and forbearing with others. But they might say, whilst he was giving these definitions of liberty, that he himself repected not the right of conscience in others. Those, however, who talked in that way about the rights of conscience, were free-traders in religion, but monopolists in conscience. Had it never occured to them that the Government might have a conscience, and that that conscience might teach them that they were not justified in allowing great masses of the people to remain in the depths of ignorance without making one effort to save them. There was then a Nonconformist conscience *versus* a Government conscience; and he knew which was the most enlightened of the two. The present question was confined really in a very small compass. He would ask, first, were the present means of education commensurate with the wants and requirements of the people? Then, if they were not, did the proposal of the Government afford a sufficient remedy; and was there anything inconsistent in it with the principles of civil and religious liberty? In answer to the first question, they had been told by some that there was but little ignorance prevailing—nothing which a little more exertion and extension of the voluntary system would not remove. With that statement he could not agree, when he read such facts as these, that out of 50,000 persons taken into custody in the metropolitan districts, 45,000 either could not read or write at all, or could read or write imperfectly—that in the poor-law unions of Norfolk and Suffolk, which were fair specimens of agricultural districts, one-half of the inmates above sixteen could neither read nor write at all, or could only do so imperfectly—and more especially when he remembered what was meant by reading and writing "imperfectly." When the term "read imperfectly" was used, it meant that reading was always a trouble and a task to the person, and that he was obliged to spell almost every word. And as for "writing imperfectly"—had hon. Gentlemen ever seen a labouring man sign his name? First he looked at the pen, then he looked at the ink, then at the paper, and at length after sundry ponderous groans, he made some extraordinary hieroglyphic, that might arrest the attention of M. Champollion or Sir Gardiner Wilkinson. He should be glad to see any plan by which the boys in rural districts could be kept a little longer at school. Hon. Gentlemen who were acquainted with the rural districts would know that the boys, on leaving school, were generally employed in the dignified occupation of bird-keeping. There they sat the greater part of the day under a hedge, passing their lives in a state of dreamy existence. They saw a rook, and they apostrophised him as a "black rascal;" and that was their occupation; or if they were of a more active temperament, they employed themselves, like a transatlantic senator whittling with his knife, cutting notches on a post. It was much better these youths should have an opportunity of going to school, and acquiring a little useful learning. Those were the pupils. Next he came to the masters. Men were generally made schoolmasters because they were unfit for anything else. If a man lost a leg or an arm, the first thing he did was to look for a turnpike; or, failing an empty turnpike, he next applied for the situation of village schoolmaster, and very often with success. He did not mean to say that such a man would be employed in spite of a bad moral character; but he certainly would in spite of the absence of those intellectual qualifications which should fit him for his office. And he did not blame those who employed him much, for there was little competition for the place, and they were glad to relieve the parish from the burden of a large family, because somehow or other such men always had large families. It was said that the clergy were responsible for the education of their people. He denied that such was the case. It was a portion of the clergyman's duty; but he had to visit the sick and to perform many other offices of equal importance. The clergyman had to deal with such schools as he had, and he never could make a school a good one without the assistance of a really good schoolmaster. Hon. Gentlemen might say that he was making a bad case for himself, for that he was now describing schools in the agricultural districts which for the most part belonged to the Church of England. That was true; but he did not at all wish to blink the truth with regard to those schools. He was tired of friendly reports drawn up by friendly secretaries, and read before friendly committees. He was tired of all that. He wished to conceal nothing, but wanted a fair and impartial inspection by the Government. If he turned to town schools, however, he found that the same thing was the case. He held in his hand a short extract from a valuable publication of the Statistical Society, who appointed a committee to inquire into the subject, which contained some information upon the point. That report stated—

> "The mistresses of the common day-schools were sometimes young persons unable to go to service from ill health, or desirous of staying at home with a sick or aged parent, and glad to add something to their means of maintenance. Some, again, were mothers of large families; and, in all cases, even the most favourable, the female teachers had their own household work to attend to. A very large portion of the masters of common day-schools, and still more of middling day-schools, were men in distressed circumstances, or who had at some time or other failed in trade, and seemed to have taken up the profession of a schoolmaster as a last resource. Your Committee hardly ever entered for any length of time into conversation with the proprietor of a common or middling day-school, but he or she began to talk of having been in better circumstances, and of unforeseen difficulties."

A question had been asked of the teacher in a dame's school with regard to the amount of remuneration which she received, and the amount of knowledge which she imparted, and her answer was, "It's little they pays us, and it's little we teaches them." Such as he had described being the state of education in the country, and such being the condition of the schoolmasters, how were the Government to meet the evil? By placing them (the schoolmasters) in a better condition than that which they at present occupy, making their situation more honourable, and giving them a corresponding advantage after several years spent in the service of the country, for it was truly in the service of the country. That was a portion of the plan which Her Majesty's Government proposed, and it was a plan in which, for his part, he could not see anything dangerous either to civil or to religious liberty. On the contrary, he thought that any one who read it, and carefully looked at the nature of the system proposed, must be surprised that any opposition should be given to so simple and liberal a proposition. They had indeed been told that in foreign countries the catechism which was used in the schools was of a nature that mixed up the principles of absolutism with the reverence due to the Creator: but what analogy, he would ask, was there between those foreign countries and free England? The freedom which existed in the press, which existed in the House of Commons, which existed in that very debate which was then proceeding, showed that there was not the slightest analogy between England and the countries which had been so alluded to. The danger of the system of using such catechisms in Austria or Russia was in this—that if any one thought to publish a catechism in which such principles of absolutism would be controverted, he might expect, if in Austria, a residence in the fortress of Spailberg; and if in Russia, a journey to Siberia. The doctrines of political economy had been brought forward in opposition to the plan of Her Majesty's Government; but he protested against the application of those principles to such a subject as education, for many reasons, amongst which was that in moral questions the very reverse took place of that which occurred in political economy, for often the greater the want the less the demand. They all knew the way in which petitions were often got up on questions of public interest; and he would remark that the system of getting up petitions had been pursued to a great length with respect to this education question. A Dissenting minister in his neighbourhood obtained the signatures of children down to 10 years of age to petitions against the plan proposed by the Government; and the House could judge of the language in which they described it, when he informed them that one clergyman, the Rev. Mr. Waite, said of the Established Church, that, "false in principle, unjust in character, trembling with age, she stood stained with the blood of her victims, and covered with the mantle of disrepute." What sympathies could there be in common between the noble Lord (Lord J. Russell) and the Rev. Mr. Waite? There could be none; if there were, the noble Lord would meet with more opposition from Members on his (the Opposition) side of the House than he had hitherto experienced. The British and Foreign School Society, which contained among its supporters Dissenters of nearly all denominations, had never repudiated the doctrine of State assistance in promoting education. But now the Church came forward, and, seeing the want of education, made a sacrifice (for a sacrifice he thought she had really made), the Dissenters discovered that State assistance in promoting education was wrong in principle. Between the two, he feared that, if Her Majesty's Ministers listened to both parties, there would never be good schools for the education of the people in this country. He did not wish to empty the chapels in order to fill the churches. There was ample scope for both the Church and Dissent, Let them both endeavour to reclaim those who went neither to the church nor to the chapel. These were the recruits and the converts whom they should hope to make. And at whose expense would such converts be made? At the expense of the Church, or of Dissent? No! but at the expense of gross immorality, of brutal ignorance, and of practical atheism. He offered his cordial support to the Government for their proposal, and thanked them for the manner in which they had brought it in.

Mr. AGLIONBY felt it necessary to say a few words to the House in explanation of the vote which he intended to give, lest it might be misconstrued by some into an expression of opinion on his part unfavourable to the general spread of education. He thought the hon. Member for Dorsetshire had rather misinterpreted and misrepresented the feelings of hon. Members at his (Mr. Aglionby's) side of the House who were not in favour of the plan as it stood, but who deplored sincerely the evils which the plan was brought in with the view of removing. The question for them to consider was, whether the scheme proposed by the noble Lord at the head of the Government was the best calculated to meet those evils. A few months would show whether the Government had, in the intricate circumstances in which they were placed, taken the wisest and best course; but for his part, he could not see that at present so clearly as the supporters of the measure appeared to see it. He listened with pleasure and admiration to the eloquent speech of the right hon. Member for Edinburgh last night: his premises were true, and he perfectly agreed with them, but his conclusions from those premises he could not agree with; and the impressions left upon his mind after hearing that speech were more in accordance with the opinions entertained by the hon. and learned Member for Bath, who gave a most triumphant answer to the speech of the right hon. Member for Edinburgh. No doubt existed as to the necessity for additional means of education; for although many persons of activity and perseverance had exerted themselves in furthering education by private aid, yet in many of the agricultural districts, as well as in many towns throughout the country, that anxiety on the part of private individuals to encourage education did not exist. In such cases he agreed with the right hon. Member for Edinburgh that the State ought to step in, for it was evident that private encouragement had not been sufficient to provide for education; and he also agreed with those who thought that this proposal of the Government was not brought forward with the intention of increasing the Government power and patronage; nor did he think there was contained in the plan anything unconstitutional, for in reality the question which they had to decide was, ought the State to provide for the education of all? That was the real question; and therefore he thought it would be worth while for the House to consider whether something like what was contained in the resolution of which notice had been given by the hon. Member for the Tower Hamlets might not be introduced into the plan of the Government. He thought that secular education ought to be extended to all classes of the community, and extended unaccompanied by any trammels which would be calculated to prevent the whole of the people from taking advantage of it; but by this plan the Roman Catholics were excluded, and so were the Jews, from the advantages to be derived from the aid of the State. He did not see why the Jews should be excluded from the plan; and although it was true that they might not avail themselves of those schools even if they were opened to them, yet that was no reason for our stamping them with the mark of exclusion. He could not support a plan which did not leave the schools open to all; and therefore, when he opposed the proposition of the Government, he trusted his vote would not be misconstrued into an opposition of education.

VISCOUNT SANDON was anxious to trouble the House with a few words to explain the grounds on which he would support the measure of Her Majesty's Government. He wished to call the attention of the House to the fact that those objections which had loaded the Table with petitions against the scheme, and which had brought gentlemen from all parts of the country to hold a sort of parliament in that metropolis, had, one after another, been abandoned by the hon. Members who had spoken within the walls of that House. The hon. and learned Gentleman who last addressed them, had told them that he abandoned the objection grounded on the allegation that there was a sufficiency of education; and he had also abandoned the objection that the Government had adopted this scheme with a view to the extension of their patronage. When such objections as these were abandoned, he thought it was probable that a great portion of that excitement which had been encouraged throughout the country on this subject, would no longer continue to exist. He was glad to hear the admissions that it was the duty of the State to provide, so far as it was able, for the education of the people; that religion was an essential part of everything worthy of the name of education; that education did not consist in reading, writing, casting up accounts, and the use of the globes; and that real education consisted in the education of the moral man; and that to attempt to strip education of that which formed the moral man was a mockery, a delusion, and a snare. The State admitted that education, in order to be effectual, must be religious. Could the State, then, give the people a proper religious education? In this country, at least, the natural answer was, that it was impossible. It might be possible in a country where there was a general uniformity of opinion; but, in a country like this, where such unlimited freedom of opinion prevailed, and where opinions varied so materially on matters of religion, he believed that it would be utterly impossible for the State to undertake the religious education of the people. What, then, did the State do? It took the means the country itself had chosen, and it said, "We will adopt your plans, and we will assist you, on condition that you make your education effectual." He thought this was a wise principle; and to his mind it appeared to be the only principle the Government of this country could adopt. It was on this ground that he valued the steps taken by the Government. He could not say that he was prepared to give his assent to every portion of their scheme; but he was prepared, without going into a minute criticism of words, to say that every regulation which had been provided by the Government was the wisest that, under the circumstances, could have been adopted. This was, indeed, part of the process that had been going on for the last fifteen years; they had been advancing step by step, feeling their way, endeavouring to do no harm, but to take care that every step they took should be in the right direction. He conceived that, in its main features, this measure was a step in the right direction. He did not say that the proposal to offer situations under Government to those who had been trained as schoolmasters, but who might not be fitted for such a position, was a judicious suggestion. He confessed that he thought it of doubtful propriety. He should also have been glad if some stipulation had been made, that where there was a single school only in the parish, the reading of the catechism, and the attendance of the scholars at the church, should not be enforced. It was very possible that it might be the wish of the Government not to make such a stipulation. They might desire to proceed upon the principle of taking things as they were, and of carrying with them the feelings of large and effective bodies, certain that by such a course much good must be accomplished, rather than to establish a scheme of their own, or to lay down new principles which they thought ought to be adopted. He would not say that the Government might not have been acting wisely and judiciously in pursuing such a course, and in avoiding fresh stipulations which might have induced parties to adopt certain principles with a view of obtaining Government support. He must confess, however, that he would have been glad to see such a principle as that to which he had alluded introduced, if not enforced; and he hoped the time would come when the Church would see that it was her highest interest—nay, her duty—to invite all those who chose to receive her teaching to resort to her schools, when she would invite those who would only receive a portion of her instruction, trusting to the inherent excellence of her principles, when properly displayed, but not enforced, upon the people. He believed that many of the points at issue among Protestants were often mere questions of verbal distinction, or criticism, or of scholastic theology, which, in practice, were almost entirely lost sight of; and that, in the practical teaching of religion, little difference would be found among them. He must not, however, be misunderstood, as imagining or recommending that schools should be established upon the principle of neutral religion. He believed nothing could be worse than that, because he was satisfied that a man would never teach religion heartily if he was not allowed to speak out. If a man was placed under fetters—if he was compelled to feel "I must not say this or that"—they would find practically that his teaching was cold and indifferent, and that the school would consequently soon fall into general negligence. But it had been said that this duty might be transferred to the teachers of religion—the clergy or ministers of the different denominations. He believed that was equally impossible, on account of the want of time, if there had been no other objection. In many cases clergymen whose stipends did not exceed 100*l.* or 150*l.* a year, had under their charge a population of from 5,000 to 10,000 persons; and it was physically impossible for them, in addition to all their other duties, to afford religious instruction day after day in the schools, of which there might be many in each district. He thought religion ought to be interwoven with every part of their education; he meant, that the man who taught should be a religious man, and that in his moral teaching he should always keep in view the principles of religion. Entertaining these opinions he certainly did hail the proposition now before Parliament as a very great step in advance, and he believed in a very good direction. He hoped the measure might be further extended hereafter, for, good as it was, it would not penetrate into all the remoter and humbler districts of the country. He considered that this proposal, so far from discouraging the voluntary principle, would rather afford a stimulus to it. Why, indeed, he might ask, had so much been done for the furtherance of education by the voluntary principle within the last few years? Had it been done without the assistance of the State? No; but in consequence of the assistance of the State. And if the assistance afforded by the State for the building of schools had quradrupled or quintupled the money advanced for that purpose by voluntary subscriptions, was it not likely that the proposal now made of affording assistance to masters, would be attended with the same result? He should be very sorry to say anything in depreciation of the voluntary system. He believed that it was a most essential feature in the English character and habits; and he considered that the scheme now proposed by the Government was well calculated to draw the voluntary system into action. The speech of the right hon. Member for Edinburgh (Mr. Macaulay) had been so conclusive in reply to those who would exclude Government from any interest in education, who would shut up the action of Government to be the mere policemen of the country, that that branch of the subject required no observation from him; and he would therefore only say that he was desirous of bearing testimony to the merits of the scheme, and the honesty and impartiality of the Government.

MR. GISBORNE would not charge the Government with inconsistency; for this measure was in accordance with the principles which they had hitherto professed, and which had received the sanction of the House. He would not say the measure was marked by great wisdom, nor would he say it was not; but this he would say, that it was marked by great moderation. He felt how much he needed the indulgence of the House, because he was going to state, as the grounds of the opinion at which he had arrived, principles which were characterized by the right hon. Member for Edinburgh as principles which could hardly be maintained by a reasonable being; and by the noble Lord the Member for Liverpool, as principles which he hoped would never find their way into that House. He knew no scale by which to limit the duties of Government. There was no limit to those duties except the benefit to the country which would arise from their performance. It was not enough to say that certain things were opposed to the principles of free trade or of the voluntary system. The conveyance and distribution of letters was contrary to the principles of free trade; so was also the privilege of coining; but the people quietly submitted to these things, because it had been proved by long experience that Government could discharge those duties better than they could be discharged by the competition of private individuals. He, therefore, simply looked at the present question in this point of view, whether the Government could more effectually direct and control the education of the lower orders, than it could be done by other means; and, after mature and painful consideration, he had come to the conclusion, that, first from analogy, and second from experience, the interference of the Government would not be productive of good. He said that, in the first place, he had come to that conclusion on the ground of analogy. He had listened, as every man must have listened, to the speech of the right hon. Member for Edinburgh, last night, with the greatest admiration; but it certainly appeared to him that there was not a syllable in that speech which would not have been equally applicable if the question had been the setting up of an Established Church instead of a Government system of education. [Mr. SEYMOUR: Hear!] He was very glad that the hon. Member assented to the position he had laid down, that all the arguments used by the right hon. Gentleman last night would have been equally applicable had the question been that of a Church Establishment in the country. All the declarations of the right hon. Gentleman as to the low and degraded state of the population—all his exhortations—all his fervent descriptions—all his denunciations of the inadequacy of the voluntary system—would have been equally applicable in the one case as in the other. Not only was that the case, but the steps which would be taken in the establishment of a Church would be the same as were now taken by the Council of Education. In the first place, no doubt, there would have been a Council of Religion appointed, as there was now a Council of Education; and the first object of the Council would be directed to the building of places of worship, taking such religious instructors as they could find. Having got the instructors, the next step would be to appoint inspectors—*episcopoi* they would then be called. Having made that regulation, the next step would be that those *episcopoi* should give in reports similar to those that were now received from the school inspectors. [*The House was here counted; but forty Members being present, Mr. Gisborne resumed, having, however, changed his position, in the interim, from the Ministerial to the Opposition side of the House.*] They would probably receive such a report as had recently been received from the gentlemen who inspected what might be called the diocese of Northumberland, Durham, Lancashire, and part of Yorkshire, who stated, that while the schools built were capable of containing 15,000 children, the actual attendance was only 5,904. From another important diocese—that of Northampton, Warwick, Leicester, Nottingham, Derby, Staffordshire, Cheshire, and the West Riding of Yorkshire—another inspector stated, that in ninety-four schools he found an attendance of 6,351 children, while they were capable of accommodating 11,147; so that the schools were only four-sevenths full. Then what would have been the conclusion drawn from these reports? Exactly that which had been drawn on the present occasion. The conclusion would have been, that more and better schools were wanted—that normal schools should be established, and more inspectors appointed; and following out the analogy in the case of a religious establishment, where the normal schools would assume the shape of universities, and where the inspectors would be in the shape of bishops to overlook the clergy. The other particulars of the machinery would be conducted in the same way. The same provision would be made for recommending young men who had distinguished themselves at the universities for their talent and proficiency, and for appointing them as clergymen after they had undergone an examination by the bishops. And now, coming out of the region of imagination into that of fact, had the Church of England answered the end of its appointment in the instruction of the poor? He found the answer to that question in the statement of the noble Lord last night, who deplored the desperate state of ignorance among thousands of his countrymen, who did not even know the name of God, their Creator, or of Christ, their Redeemer. The Church, therefore, had passed by the lower orders; it had passed by the working classes. Do not let them take this as his representation. Let them read the report of one of the inspectors, the Rev. Mr. Moseley, who said that it was not without regret that the poor could be induced to forsake the Church which was rendered sacred to them by many cherished associations; or that they sought the instruction of teachers, unauthorized indeed, but between whose minds and their own difference of education had not created an almost insuperable barrier; for it was obvious that the public instruction of the Church was too frequently unable to be comprehended by them. Mr. Kay, also, another great authority with the educationist said, the Roman Catholic Church clearly understood this truth, that in order to teach the poor effectually we must choose their teachers from among themselves. They had perceived from the first, with that sagacity which marked all their worldly policy, that to obtain men who would sympathize with the poor, and who would feel no disgust with that which was the greatest duty of a priest's life—the visitation of the meanest hovels—they must obtain their instructors from among the poor. In this country, where the clergy were so much separated from the poor, it became doubly important that the schoolmaster should become the connecting link between the clergyman and his flock. Now the conclusion which he would deduce from these extracts was, that a system of education—founded, as far as he could see, upon the same principles on which the Church Establishment was founded—was not likely to effect the object which the noble Lord sought to accomplish. He came to the same conclusion from all the experience they had been able to obtain. They had already had assistance given to education for the space of thirteen years; and he should be sorry if any one were to take the results from any statement of his, but he would refer them to the reports of the inspectors. The Rev. Mr. Moseley said, he could hardly believe on any other experience than his own that there could be hundreds of children, not of the class that were described by the chaplain of the Preston gaol, but of the highest classes in the national schools, who were incapable of telling the name of the country they lived in, or who attached any definite idea to the question. Some of them did not know the name of Her Majesty; others thought that the Queen of England was also Queen of France, and that England was a part of Africa. When asked how they would travel to go to Scotland, they said south; and they believed that the language of the Scotch was unintelligible. And yet these same children had a pretty good notion of Scripture subjects, and could read with ease. The Rev. Mr. Watkins said that the children in one school, on being asked who wrote the Bible, answered Moses; and being asked who collected the Bible into one book, they answered Gomorrah. He thought, therefore, that experience did not lead him to the conclusion either that the Government interference with education had been beneficial, or that it was likely to be so in future. But, then, they were constantly told how well the system had worked on the Continent. Mr. Joseph Kay, who was a travelling bachelor of arts, belonging to the University of Cambridge, had visited Switzerland, and had described the admirable system of education pursued there. When he (Mr. Gisborne) read those glowing accounts, he was induced to hope that they might look for beneficial results. But Mr. Kay indignantly repudiated the idea of expecting any results. He said that the development of the education of the people in France and in Switzerland was of too recent date to allow any one to speak of results, for the real education of the country dated only from 1833; and that it was not in less than seventy or eighty years before you could look for any beneficial results. Now, whether this reasoning were good or not, at all events it proved this, by Mr. Kay's own admission, that there had been no beneficial moral results yet arising out of the system pursued in France and Switzerland. Mr. Kay elsewhere said, that he had not visited Prussia or the other German States, and that, therefore he could only give an analysis of the reports of Cousin and other travellers as to the working of the system there. But there was one who had travelled in Prussia, of whom Mr. Kay had taken no notice, though he was bound to do so—he meant Mr. Samuel Laing, well known in the literary world for his *Notes of Travel in Norway,* and other works. Mr. Laing commenced by giving great credit to the educational system of Prussia, which he described as a master-piece of human wisdom; but, notwithstanding, he said the people were not more moral, nor enlightened, nor religious, nor free. Now, if the ultimate object of education was to raise men in the feeling of their moral worth—in their responsibility to their Creator for every act of their lives—then the Prussian system must be considered a failure. He dwelt the more upon this, because he remembered that, some years ago, the Prussian system was constantly dinned into their ears by hon. Members of that House, and its effects were described in making the Prussians the most orderly, the most moral, and the most peaceable subjects of Europe. But Mr. Laing gave a very different account of the matter. He said, of all the relative virtues, that which was the most undoubted index to a high scale of morals, was female chastity, and there was less of that in Prussia than in any other part of Europe, the number of females in Prussia between sixteen and forty—that was, of a child bearing age—was 2,000,903, while the number of illegitimate children born in Prussia in one year was 39,501. Prince Puckler Muskau stated that the character of the Prussians for honesty was lower than that of any other part of the German population. Then with regard to the influence of the Prussian system of education in religion, it might be enough to state that a total change in the religious system of the country had lately been made, and that that change scarcely met with any resistance from any part of the population. He concluded, therefore, that the Prussian system of education had not been productive of national benefits—that it had not been productive of that which alone was beneficial in education—the moral improvement of the people. He came next to the arguments which the right hon. Member for Edinburgh had drawn from the diffusion of education amongst the Scotch; and he was sorry that he should be obliged to make a very serious deduction from his eulogium. It might appear to be very invidious for him to meet the descendant of Olaius Magnus on his native heath; but he believed he had seen more of the right hon. Gentleman's countrymen than he had seen himself, for it was his habit, twice a year, to pass from Manchester and Liverpool to Greenock and Glasgow, and to spend a week at each of these two places; and from the specimens he had seen there he could not say that the Scotch had derived much benefit from their national education, either in their appearance, or manners, or anything else. He had seen places in those two towns in which he would be as loth to trust himself as in any place in Manchester or Liverpool; and if he were to pursue this matter further, and take an ordinary Scotch village, partly agricultural and partly manufacturing, and take a village of the same class in England, he believed the verdict of any impartial foreigner would be in favour of the English, as being superior in their dwellings, superior in the cleanliness of their persons, and superior in sobriety. He admitted that they would not be such good religious controversialists. He had also been in the habit of spending some weeks in every year in a Highland glen, where there was a row of houses approaching to a village; and he had no hesitation in saying that these Highlanders were a mere set of barbarians in comparison to the honest but ignorant workmen he employed in England. He had seen their letters, written both to him and to each other, and they certainly displayed beautiful penmanship, accuracy of expression, and unexceptionable orthography. Yet these were men when he left the glen he had heard it both from the clergyman and others, who said, "As soon as you are off, and as long as their money lasts, it is not that this man is drunk or that man is drunk, but the whole glen is drunk." He had some time since had occasion to inquire of persons in that neighbourhood whether there were any of them particularly in want, and the answer he received from a trusty English helper he employed there was, that there was no one more in want than his own personal attendant, Donald. He (Mr. Gisborne) was surprised at this, knowing that he received good wages, and that he had other advantages; but he was told, in reply, that he was drunk perpetually; that for fifteen or sixteen Sundays in succession the helper had seen him hopelessly drunk. Having received this account, the next time he met him he said, "Donald, I am afraid you are a sad fellow; they tell me you are perpetually drunk." The man at first gave him an evasive answer; but, on being pressed, he said he seldom got drunk except on Sundays, and a bit at Yule (that was Christmas), or the new year. They were capital readers and writers, and were capable of a good deal of arithmetic, but they were a perfect set of barbarians. That was the real character of the Scotch people; but their religious education had not been neglected, and they were great controversial divines. He knew a clergyman in one parish, to whose sermons he had often listened with great pleasure, but who had not felt it his duty to join the Free Church; all his congregation, knowing enough of divinity to judge of the qualifications of their minister, had deserted the Church; and the poor man had left the parish almost broken-hearted. He, therefore, from his own experience of that country, must make some deductions from the glowing account of it given by the right hon. Gentleman the Member for Edinburgh; and he would not appeal to statistics in support of that position, because he had too much experience in that House of the fallacious results which might be drawn from them. He wished the right hon. Gentleman had been in his place, because he had to complain of him, especially for one part of his speech last night. He (Mr. Gisborne) had been perfectly horrified by the ingratitude exhibited by the hon. Member in the manner in which he had spoken of the Nottingham riots, and the other riots which carried the Reform Bill. From the ample vocabulary of the right hon. Gentleman, he appeared to have selected the very worst words to apply to those who had assisted them in carrying the Reform Bill. [MR. PROTHEROE, as Member for Bristol at the time, must say that the rioters there were not, generally speaking, voters.] But it could not be denied that they did assist in carrying the Reform Bill. However, to return to the subject at present before the House, he must say that, judging from experience here and in foreign countries, he was not led to believe that the Government could beneficially or effectually direct national education. He believed he might say, that for a Government to undertake anything like a complete system of national education was a perfectly impracticable attempt, and he disagreed entirely from the hon. and learned Member for Bath, that they would be more likely to succeed if they confined themselves to secular education. Mere secular education he was convinced that they could not have; and the combined system of education they had tried and failed. Then this system was founded on the principle of educating all the people; but the Government could not educate all. They were obliged to leave out the Catholics and Jews; they could not, it was certain, with any chance of carrying their measure, propose to include them in their educational scheme. They might, therefore, tax all, but they could not educate all. He freely admitted that the Church of England did educate sufficiently the higher classes and the middling classes of society to some extent. She gave them that orderly and formal liturgy which suited their tone of feeling; she was animated by a degree of fervour which corresponded with their own, and the liturgy was in fact a very faithful rescript of the religious condition of her followers: but he held it to be undeniable that the Church of England did not educate the lower classes. The Wesleyan Methodists and the Catholics were the real religious instructors of the lower orders. He knew that he should then be asked, whether he was willing to rely on the voluntary principle, and he admitted the difficulty of answering the question; but he would say that he placed more reliance on the voluntary principle than on the efforts of Government. If Mr. Kay's estimate were correct—that for seventy years they were not to look for any great benefits from this system of national education—he, for one, looking to the great progress which had been already made, and recollecting the ignorance of their ancestors, within a less period than that assigned by Mr. Kay, did not despair of very beneficial results arising from the voluntary system. He had already explained the grounds upon which he should vote; and although he had not any very favourable opinion of the Committee for which his hon. Friend had moved, he took that Motion as an opportunity of recording his opinion on the general subject of a national system of education; and he thanked the House for the indulgence with which they had listened to him.

MR. BORTHWICK said, that the hon. Member who had just spoken, had, in the course of his speech, changed both his place and his argument. After an exordium of great clearness and abundant point, he had come from the opposite side of the House, and had produced a sequel sufficiently confused and illogical, in which he had completely upset all the propositions which he had put forth on the other side of the House. The hon. Member had said that he would oppose the measure by conclusions drawn from experience, and by conclusions drawn from analogy; but he had had great difficulty in distinguishing between the analogical and the experimental part of the hon. Gentleman's speech. The hon. Gentleman had said, that the argument of the right hon. Gentleman the Member for Edinburgh would have been as good an argument for an Established Church as for a system of national education; and he had expected that the hon. Member was about to draw some conclusion by analogy from that observation; but he waited in vain; the conclusion never came, any more than the expected benefits had come from the voluntary system. But then the hon. Gentleman went to the experimental part of his speech, and he said that he was entitled to make deductions from the credit of the statement of the right hon. Gentleman, because he had had an experience of three entire weeks of every year in Greenock and Glasgow. ["No, no!"] Well, then, the hon. Member passed through Greenock and Glasgow to the Highlands in company with a gentleman of the name of Donald, who carried a gun, and the hon. Member complained that Donald was always drunk on Sundays at the Yule season, and at the new year; and he also complained that in passing through he had seen places in which he would not be willing to trust himself, though from the latter part of his speech they might infer that he would not be unwilling to trust himself with the enlightened citizens of Bristol who carried the Reform Bill. The hon. Member had defended the citizens of Bristol who destroyed their city; and he had found fault with Donald, because, he supposed, Donald only carried the gun; but the citizens carried the Reform Bill. The hon. Member, however, had condemned the moral character of the people of Scotland. ["No, no!"] Surely the hon. Member had declared that the people of Scotland were good theological controversialists; but that they were not so clean in their persons, tidy in their habits, or in all moral and educational respects equal to the English. ["No, no!"] Well, then, the right hon. Gentleman the Member for Edinburgh was right, and he must take leave to say, that the hon. Member had mistaken the argument of the right hon. Gentleman. The right hon. Gentleman had compared Scotland with Scotland — not Scotland with England. The right hon. Gentleman had said, that at one period of her history, when she had no national education, she was a by-word amongst the nations of the earth, but that in the course of time national education began, and that, by force and in consequence of that national education, she had raised herself to the position which he claimed for her amongst the people of the world; and the hon. Member might have shaken that argument if he had told them that when he went into the Highlands with Donald and his gun, he had found the massacre of Glencoe, although he had left behind him the riots of Bristol. Then the hon. Member had said, that in Prussia, and throughout a great part of Germany, morals were at a low ebb; and if so, warned by that example, the Government were now endeavouring to avoid that evil, by combining, as far as possible, the religious with the secular education of the people. Now, that brought him to the objection, that the Roman Catholics and the Jews were excluded from the benefits of this grant, and to the observations of the hon. Member, that, because they were excluded, therefore the grant ought not to be made at all. He had thought that the hon. Member was a philosopher, and that he reasoned from the book of theories; but he was sure that the hon. Member would find it laid down in all the authorities, and denied by none, that the business of a Government was to study how they could do the most good for the greatest number; and, therefore, when they excluded the Roman Catholics and the Jews, he would ask whether they excluded the great majority of the people, or whether the scheme, which included all but them, did not embrace the vast majority of the people; and if so, then the system did provide for the nation the best system of education which it was possible for the Government to give. He had ventured to make these remarks on the speech of the hon. Member who preceded him; but he had risen for the purpose of expressing shortly the grounds upon which he should vote in support of the Government. There was beyond all doubt an admitted evil of vast importance. The realm of ignorance and crime, which the noble Lord the Member for London had declared his intention of invading, was admitted by the hon. Member for Finsbury to be large indeed; but the difference between the two was this, that the noble Lord proposed a definite scheme for the remedy of this great evil, and the hon. Member for Finsbury proposed only an indefinite postponement of all schemes. The noble Lord proposed certain means for accomplishing that object—means which he confessed might, in his opinion, have been more efficient; but, such as they were, he, as a representative of the people, felt it to be his duty to take the good and reject the evil. The speech of the noble Lord the Member for London was worthy of the best times of English statesmen—it was able, it was bold, and comprehensive; and he must say that he liked the noble Lord's speech better than his measure. He wished that the measure had been as extensive and bold and liberal as the speech. He knew that he ran some risk by making the declaration. But he acknowledged that he was one of those who thought that, as none ought to be, so none need be, excluded from a system of national education. The noble Lord opposite (Lord Arundel and Surrey) proposed to extinguish Protestantism by the force of reason and the growth of intelligence; and if by such means his object was to be accomplished, he, as a Member of the Anglican Catholic Church, would be proud to follow him, having the utmost confidence that the spread of intelligence and reason would lead to the perfect establishment of the Anglican Catholic Church, and would, at all events, help to soften that spirit of mutual bitterness in which religious discussions were now carried on. It would seem as though the very first principle of their religion, upon which they all agreed, had been completely forgotten; for, differing as they did in everything else, they seemed to be unanimous in renouncing everything in the shape of Christian charity. Every one believed that all who were not with them were against the great God, who had taught the duty of charity to all; and they were all ready to lift their voices and smite with their tiny curse the image of God in their brother man. He did not complain that there had been any peculiar bitterness in the opposition to this measure; and he owned that he wished he could find less of it in some of those who defended the scheme. His conviction was, that in producing the present state of non-education, the Church had to bear no small share of blame. He knew it was the fashion to say that the Nonconformists had done good by creating a spirit of rivalry in the Church; but the spirit of the Nonconformists was to teach by means of preaching. The spirit of the Church was to teach by means of catechising; and the consequence of a system of rivalry was to introduce into the Church eloquent appeals, instead of catechistical instruction. The Rubric ordered that the children of each congregation should be examined every week before the congregation in the Church Catechism, and that they should be taught to say the Lord's Prayer and the Ten Commandments. Now, let it not be supposed that he was advocating any particular system of doctrine—either that which was called Puseyite, or that which was called Low Church; but what he contended for was this, that it was the duty of every clergyman, whether Puseyite or Low Churchman, to convey such doctrines as he believed the Church to teach by the means which the Church appointed to the minds of the poor members of his congregation; and he said that that duty had been neglected ever since the Nonconformists arose. It seemed to him that in that discussion al- parties had very much forgotten the true meaning of education. At one time, one party would consider it to be the development of the religious part of man's faculties; and at another, when it suited their purpose, they would consider it the development of the secular powers of his mind; but it was seldom argued that education, to be sound, was the formation of the moral character of the mind of man. Reading and writing, the knowledge of the great sciences, were but great instruments in his hand, which might be turned to good or evil according to the inclination of his mind. The first care of the State, therefore, was that the bent of men's minds should be rightly directed; and then any instrument might be put into their hands, in the confidence that they would be used for his own good and the benefit of the State The Government, in his opinion, would have done better if they had given to the machinery of the Church the wholesome sphere of action which belonged to its constitutional right, before they interfered at all with secular education. This machinery had been neglected for centuries; the Church was the only corporation in the kingdom which had no assembly for the purpose of regulating its own affairs, because it had suited successive Governments to add to their power by creating and disposing of the principal offices of the Church. Hence the meetings in convocation of the Church, which took place at the beginning of every Parliament, were dissolved immediately on their assembling, it being taken for granted that there was no business for the Church to do. No business for the Church to do! And yet the people in large masses did not even know the name of the Saviour, and were ignorant who wrote the Bible, and by whose authority it was delivered to mankind. Nothing for the Church to do! And yet it was the common talk—he would not say slang—in that House, that the Church, in its higher orders at least, was supine and indolent. They had closed the mouth of the Church, and then complained of her silence. Ten years ago he had tried to bring this subject under the attention of the Government, and he had failed; but he trusted that the hint which he had thrown out, though coming from a very humble quarter, would not on that account be altogether thrown away. The religious constitution of a country, like the religious constitution of man, was the most important part of it; and the Government abandoned part of its functions when it neglected that subject. With regard to those who objected to the Government measure, on what ground did their objections rest? The hon. Member for Finsbury had been so completely answered prospectively by the noble Lord the First Minister of the Crown, and retrospectively by the right hon. Gentleman the Member for Edinburgh, that it would be idle to attempt to add anything; but perhaps it was a sufficient answer to the petitioners, who had presented their petitions against this scheme, that those petitions were directly opposed to the prayers of the same petitioners many years before; and what, after all, was the practical objection? It came to this, that because they did not shape their instruction in a particular form which would suit everybody, therefore they should not educate the people at all; that it was better that the people should remain ignorant of their duty to God, to their Sovereign, and to each other, than that they should learn anything taken out of the Book of Common Prayer. When Bishop Bull was called upon to perform the rites of baptism in the family of a Nonconformist, where the liturgy of the Church was proscribed, he performed the rite in the usual manner; and at its conclusion the Nonconformist said, "I wonder much, Master Bull, that a man of such acknowledged piety and such profound learning should be a partisan of that mass of blasphemy which is contained in the liturgy of the Church; for if you had but omitted the sign of the cross I can conceive nothing more perfect." The answer was, "I recollected it as I read it from the book." So he ventured to say that if Her Majesty's Government would, amongst the many commissions they were appointing, appoint one to inquire into the number of persons who, having objected in their petitions to the Church catechism, had read that catechism, he ventured to say that the return would be expressed in the word "nil." He objected to any difference being made between the Wesleyans and the Catholics in the matter of grants; but whilst this sentiment might be popular for him as an independent Member of that House to utter, still he was bound to allow that there was a great difference between his position and that of Her Majesty's Ministers. These Ministers had to contend with many difficulties; and they had brought forward the present modified measure under the belief that it was the only one they could carry through the House. His conviction was that it would have been better had Her Majesty's Ministers brought forward the measure in all its breadth and fulness, and if they failed to carry it, the responsibility would rest with its opponents; and it was possible that after these persons had seen the consequences of their resistance, they would consent to the passing of the greater measure. The hon. Member for Nottingham (Mr. Gisborne) had argued from the beginning to the end of his speech in favour of the voluntary principle; but his answer would be that the voluntary principle had not succeeded. He earnestly trusted that Her Majesty's Government would be able to carry the measure, not by a trifling majority, but by such a majority as would show to the country that, while the House had taken into careful, auxious, and impartial consideration all the arguments which had been adduced against the measure, both within and without the House, it was determined, as far as in it lay, that the frightful state of ignorance, and vice, and crime which prevailed in the country should no longer continue; that steps should be taken for the establishment of a better order of things; that an education should be given which did not consist merely in reading, writing, and casting accounts, but would embrace the larger and more momentous concerns of religion and morality, and the formation of good and virtuous character.

VISCOUNT MORPETH: After the very full exposition which this question received at the commencement of the discussion, beside the many forcible illustrations which it has received subsequently during the progress of it, I should have thought it unnecessary to make any remarks upon it; I certainly should have consider myself inexcusable to make any lengthened observations in defending the vote I am about to give; but, as a Member of the Government—as a Member of the obnoxious Council of Education—as one who has always taken an anxious part on the question of education—and, above all, as one who is in the painful condition of being separated in opinion from many of those with whom I have heretofore acted—I trust I shall be allowed to offer a few observations to the House on this subject. Indeed, I want the consciousness and assurance of a good cause to sustain me on this occasion; for not only with respect to the petitions which have been presented, an immense preponderance of which is against the course I propose to take, not on account of these alone, or of anything which can be represented by the mere number of voices and votes, but besides all these considerations, I feel that there are many, very many with whom the habit and pleasure of agreeing, and the novelty and pain of differing, make me feel—as I trust they feel, but I am sure I myself feel—that the sentiments and the regrets which I experience on the present occasion, can be estimated by no common measure. What is it that leads me and strengthens me to the encounter with such adversaries? It is the conviction that the different parties or denominations opposed to this scheme are fighting this whole battle on a lower ground and with weapons of a coarser temper than the nature of the case requires; that they are too intent on the question of chapels, meeting-houses, tabernacles, and conventicles, and too careless as to the condition of the flock which attends each. It is like battling for the armour of a champion, without seeing whether there is yet life in the body. The doctrines maintained in so many of the petitions which have been presented, that the State has no right to interfere with the education of the people, has found but a faint echo within the walls of Parliament. It has been hinted at by the Member for Nottingham, who certainly inveighed strongly against the system of education adopted in Prussia and in Scotland. It is true, as the hon. Gentleman stated, that Mr. Laing gives an unfavourable account of education in Prussia; but I am bound to say, that the majority of the writers and travellers who have visited that country give a favourable opinion of the system of education there; and I hope we have come to the period when it can no longer be cast as a stigma upon the Prussians, that they are wanting in the characteristics of a free people. As I was not born on the other side of the border, I do not consider it incumbent on me to take up the quarrels of a people who are never backward in making good their own case. The hon. Gentleman has told us that the Highlanders of Scotland are a nation of savages. I must say, that for savages, he has given a rather classical account of them, for he says, that he had as a personal attendant one of them called Donald Bane, who always got drunk on Sundays and holidays. Nothing could be then more applicable than the description—

> "Ipse dies agitat festos—

(alluding of course to the holidays and Sundays;)

> —"fususque per herbam,"

(as poor Donald no doubt discovered himself),

> "Ignis ubi in medio (for it was at Christmas) et socii cratera coronant,
> Te libans Lenæa, vocat."

I am very sorry that the hon. Gentleman should have lighted on so profligate a personal attendant. I must say, I take a very different view from the hon. Member for Nottingham of the effect which the Bristol riots had in securing the ultimate success of the Reform Bill. But, whether the hon. Member for Nottingham be right or wrong in attributing the success of the Reform Bill to these riots, at all events I do not wish to abstain from endeavouring to bring the machinery of the State to bear on the education of the people for the sake of keeping of such national ebullitions as these. That hon. Member is the only one who has taken up the ground of denying the right of Parliament to educate the people. My hon. Friend who moved the Amendment (Mr. Duncombe) scarcely took up that ground. The hon. Member for Bath distinctly repudiated it. I am not sure that he was perfectly just to Her Majesty's Government. He blamed them for not going much further than they did in promoting the general education of the people; but he had the candour to treat with no more than the consideration it deserved the bugbear that this measure would have the effect of unduly increasing the influence of the Crown and the patronage of the State. For myself, I must say that I never heard anything more preposterous than the allegation that the pensioning of a few deserving schoolmasters, the rewarding and paying more liberally a class of men who are at present not too well remunerated, and the rewarding of a few schoolboys, could ever be turned to the dark and insidious engine of corruption which those who have petitioned against the scheme are disposed to consider it. But the hon. Member for Bath thought that we might have introduced a more effective scheme, and one much less sectarian in its principle and tendencies. Now I am not sure that, so far as my own opinion is concerned, that I very much differ from the opinion he laid down. But what was our option? There were, as usual, "three courses to be pursued." We might have an exclusive scheme. We might have favoured one particular method of religious teaching; and, probably, if we had adopted one method, it would have been that taught and inculcated by the Established Church of this country. To no such scheme could I have been a party. We might have taken a uniform scheme, in which we might have prescribed the same course to all alike, without adverting to the existing methods, and without adopting any special method of religious teaching; but I believe in my conscience that such a plan would not have met with the consent either of Parliament or of the people. Well, then, besides the exclusive and uniform schemes, there was the co-operative scheme, which builds on what it finds, and which associates itself with the voluntary efforts of the people themselves; and because, first, it is the only one in our power to adopt; and because, next, it is capable of doing great and effective good, although it is more imperfect than we could wish, we are willing to adopt it, and work it as well and as fairly as we can. But, though this cannot be called an exclusive scheme, we have been taunted with an adherence to the authorized version of the Scriptures. I could not hear without some emotion the speech of my noble Friend and kinsman the Member for Arundel (the Earl of Arundel and Surrey); but what was the position of the Privy Council—at least, I speak for myself—with respect to Catholics? When I became a Member of the Committee of the Privy Council, I found certain principles and proceedings laid down and established. It is proposed in the present Minutes in some degree to enlarge and fill them up, but without altering their framework. These modifications have been submitted to you in the late Minutes laid upon your Table; and when any fresh change is intended, I think it will be right to give fair notice to Parliament. Now, I think, that the sanction of the Douay version of the Scriptures, and the admission of Catholics to the benefit of this scheme, would be a change of such importance as to warrant a distinct notice to Parliament; and it is somewhat curious that many of those who are most inclined to complain of the arbitrary power and discretion vested in the Privy Council are also the same parties who complain most that we have not resolved on further changes without any formal record and without distinct notification. But with respect to Catholic applications, I doubt whether they have ever assumed a distinct form. I am ignorant, indeed, whether the Catholic hierarchy are willing to admit our inspection as a matter of absolute necessity. But having said all this, I must, in justice to myself and in candour to others, add, that of no Committee which refused on principle to admit Catholic applications because they are Catholics could I continue a member. I will not enter at this period into the discussion between rival tables of statistics. I think that even those who make them out favourable to the maintenance of voluntary education, show that there are a large and lamentable number of young persons without education and without the means of education. Whether we take the highest rate or the lowest, I think they show a sad deficiency, and they make out a case for applying a remedy as energetically and perseveringly as we can. Without going into any long details, I beg to read a few extracts from a document I have lately received from a gentleman who has lately been instituting inquiries into the state of education in Bradford, in Yorkshire. I need not say that this is an important and populous district, and that it supplies as favourable an instance as can be given of the state of education, for the voluntaries have put forward great efforts there on behalf of the cause, and I know that they have some schools which can hardly be rivalled by the Church. Well, this document which I have received states that

—"the parish of Bradford consists of 13 townships; its present population, 119,681; and its public schools, 40; its private schools, 111; the day scholars in public schools, 4,267; in private schools, 3,739; in Sunday schools, 19,079."

Now, I imagine that voluntary exertions in the district have gone a great way to supply more especially the Sunday-school education of this district. But I hold that Sunday-school education ought not to be considered satisfactory. In the first place, it is inadequate and incomplete; and, in the second place, it forces upon the children the necessity of breaking in upon the repose of the Sabbath to acquire the ordinary branches of learning, which ought to be inculcated on the other days of the week. This document also states—

"That of these day-schools 23 have both master and mistress, 7 have a master and an occasional mistress, 46 have masters only, 70 have mistresses only, and 1 only not in use, being 147 in all; and only 3 of these are endowed, not more than 10 have annual salaries, independent of the pence of the children; and the charges for education range from 1*d.* to 1½*d.* per week. Allowing for another public school, there are, therefore, in

Bradford 1 public school to every 1,100 houses and to every 5,610 of the population; and, allowing 100 scholars for that school, then 1 in every 43 is at a public school, and 1 in 16 at day-schools, and 1 in less than 5 attending Sunday-schools."

It is here stated that the ordinary charges for education at these schools is from 1*d.* to 1½*d.* per week; but I find that the best national schools require a payment of from 2*d.* to 8*d.* per week—a sum far beyond the reach of the working classes; and which, especially in times of pressure, would oblige them to withdraw their children. I hope that the effect of the Minutes will be to give an independent assistance without requiring too expensive contributions from the children, so as to insure a tuition so regular and cheap as to permit at all times the children of the poorest of the working classes to resort to such schools. But I will not dwell any longer upon the deficient quantity of the school education in England; because I know that the very success of the argument only makes us ashamed of not doing more; and I think that the fact of 40 out of 100 only being able to read in England, while 99 out of 100 are able to read in Massachusetts, gives us reason to blush that Old England should fall so short of New England. But, now, with respect to the quality of the education. I think that in this respect we shall be able to effect a vast deal of good by the Minutes of Council. With respect to the quality of education in the same district to which I have referred, I find it stated in the report of the factory inspectors in 1843, that—

> "The education of these children is in an overwhelming majority of cases altogether useless, and a pure mockery of the poor."

In a document in my hand I find it stated that there was—

> "One national school built at Allerton by the Church Establishment, by a Government grant. It has been unoccupied for some years, is going fast to ruins, the windows being all broken, and part of them completely out; it has become the dwelling of gypsies."

In another case it is stated that—

> "The school has been built about three years; master and mistress dependent on the pence of the children for their weekly income. There are no other funds; school is under inspection."

In another case there is—

> "A master, but no mistress; 70 children, and nothing but their pence for his maintenance; pays the rent of the school himself. There are 12 girls. He teaches on a system of his own. Has never been trained."

Another school has been built about eleven years. The master had been trained, the mistress not. The master made about 17*s.* a week, the mistress about 12*s.* This school had for a long time been in great difficulties. Another school had been built four years. The master and mistress were both trained. For some time it was stated to have had only an occasional mistress, but that was found not to answer. The annual income was 120*l.* Funds were derived from the pence of the children which fluctuated very much. If the attendance of the children was to diminish, there would be no funds to fall back upon. I do not feel that I am called on to add any thing to what has already been stated as to worldly position of the schoolmaster in this country; but I must say that his is an extremely discouraging position, and that there is an urgent necessity for giving him a better standing with those in the midst of whom he lives and discharges important functions. I will only add to that what has been said by my noble Friend with respect to the connexion of crime with want of education a few facts, in stating which I will confine myself in that respect to the district of the country in which I dwell, and with which I am politically connected. In the West Riding of Yorkshire, in 1846, there were committed to the sessions 417 prisoners, of whom only 3 could read well; 120 could read; 145 could read imperfectly; 149 not at all. The calendar for the last assizes at York contained 66 prisoners, of whom none could read well; 10 could read; 34 could read imperfectly; and 22 not at all. In Leeds—in which borough I must say, without disparagement to other places, the efforts of those who have adopted these views have been most energetic against the Government scheme—there were committed within the year 212 prisoners, of whom 6 could read well; 73 could read; 61 could read imperfectly; 74 not at all; and the cost of all the incidentals of the punishment of crime in that borough last year was:—

	£.	s.	d.
Constabulary force ...	6,678	10	10
Quarter-sessions ...	2,812	5	11
Maintenance of prisoners	5,053	0	2
York assizes	1,945	10	6
Recorder	200	0	0
Gaoler	237	5	6
Annual interest on 40,000*l.* borrowed for gaol ...	2,000	0	0
	£18,926	12	11

My correspondent adds, with perfect reasonableness, that as there were at the last census 31,626 houses in the borough, and as the rate of increase in six years was about one-ninth of the whole, there will be now about 35,140 houses, which gives the annual cost per house of the punishment of crime within the borough at 10*s.* 8*d.*; and he asks, would it cost the borough 10*s.* 8*d.* per house in direct taxation to educate their people rather than punish them? and if it cost as much, how great a tax of tears would it save! Much has been said out of doors against State education, on the score of the kind of training it will give to the young, so as to adapt their minds, as it were, to the groove to which the State wishes them to run. When I consider the great variety of disputes, and the succession of differences in religion ever since the foundation of Christianity, whether between Arians and Athanasians, Augustinians and Pelagians, or, at a later period, between Catholics and Protestants, Jesuits and Jansenists, Calvinists and Lutherans, Evangelicals and Puseyites, High-churchmen and Low-churchmen, I sometimes am almost tempted to wish that we could see the experiment tried, what course a young person of fair intellect, and without prepossession from within, or bias from without—would take, and what decision he or she would come to, when the judgment was duly informed on the different questions subsisting between some of the different sects I have enumerated. But there are unhappily too many counter-influences of evil acting on the human heart to enable us to make this experiment. Few parents would consent to it, and no community would prescribe it; but I have yet to learn that the minds and intellects of the youthful population are not liable to be as much influenced, and put into the groove, by the voluntaries who teach these several catechisms, by the leaders of Independent and Baptist communities, as by the admirer of regulations as uniform as those of Prussia. In our case the State officer is not permitted to interfere; and, as it seems to me, the danger, therefore, is purely imaginary. I believe that the teaching of the State, as far as it went, would often be found less cramped and confined than that of its narrow and unreasoning censors. I have already adverted to the painful differences that on this question separate me from many of those with whom hitherto I have been most pleased and proud to act; but in addition to any individual concern I may feel, I own that I cannot but regret that the old Protestant Dissenting denominations of England, associated with so much that is precious in our common history, have committed themselves to the path upon which they have entered. I regret it, because I believe the cause they have refused to sanction, and so resolutely oppose, is emphatically the cause of the working men and working women of this country. I regret it, because I believe it is the only means at our disposal for largely contributing to the education of the poor. I regret it for myself, because I shall miss the encouragement and companionship I have hitherto enjoyed in a political connexion of some duration, and to which I have grown accustomed. But I regret it more for their own sakes, because I confidently, though not arrogantly, believe them to be wrong, and that in the end they will surely fail.

MR. BRIGHT: In rising to offer a few observations on this most interesting question, I am sensible that I have to defend men and principles which are not popular in this assembly. Nevertheless, being myself one of the Nonconformist body of this country, and being by birth, education, observation, and conviction, fully established in the opinions I hold, I am bound, though it may be in opposition to a Government sitting on the same side of the House as myself, to protest against the policy and principles now offered for the adoption of the House. I listened with pleased attention to the speech of the right hon. Member for Edinburgh; and I read with due respect that of the noble Lord at the head of the Government. I admit the ability of those speeches; but there is nothing in which that ability is more displayed than in the skill with which they have evaded the question really in dispute between the Dissenting bodies and the Government by which this scheme of education is proposed. It is not the question before the House, in the scheme proposed, or in the Amendment moved by the hon. Gentleman the Member for Finsbury, whether the State has any right or power to interfere with education in this country; it is not the question whether it should be secular education they have a right to interfere in. The question is this: these Minutes that are before us, their object, their tendency, and the effect they will produce upon the position of the Establised Church and the Dissenting bodies in the United Kingdom. The right hon. Gentleman the Member for Edinburgh spent three-fourths of the time he was on his legs in proving that the State has the power and the right, and that it is the duty of the State, to see to the education of its subjects. Judging from his speech, it was one of the simplest things imaginable; the proposition appeared to be so clear that he was astonished any one should doubt it; and with the right hon. Gentleman's opinions I was astonished he should take so much pains to enforce it. But if it be so clear a proposition that Government has the plain right to educate its subjects, it is somewhat extraordinary that by any of all the eminent statesmen we have had in this country for some generations past, there has never been any bold and determined attempt to interfere with the education of the common people of England and Wales. The right hon. Gentleman appeared to me to prove too much. He tried to prove that it was the duty of the Government to educate the people; but if it be the duty of the Government thus to educate them, it must be the duty of the Government to enforce education. I do not know where the line can be drawn. If it be its solemn duty to afford opportunity for education, and see that all the people be educated, it appears to me we must come inevitably to the conclusion that Government has the power, and that it is also its right and its duty to enforce education on all the people subject to its rule. The noble Lord at the head of the Government objected to the Dissenters that they had supported the Committee of Privy Council in 1839, whilst they opposed it in 1847; that they were then in favour of this interference, and are now opposed to it. I admit that many, or at any rate some, of the Dissenters were in favour of it eight years ago. But we have had some experience from 1839 to 1847. At that time the Dissenters regarded the institution of the Committee of Privy Council as a step leading away from that power which the Church of England wished to usurp, of educating the whole people; and the Dissenters hoped we were on the road at last to overcome these pretensions which the Church of England had so long asserted, that she was called upon and bound to undertake the business of education, and that she ought to be entrusted with the education of the people. But from 1839 to this year we have found no step taken by the Government which has not had for its tendency the aggrandizement of the Established Church. In 1839 the noble Lord proposed a scheme which, from the opposition of the Established Church and the Wesleyans, was withdrawn. In 1843, the right hon. Baronet the late Secretary for the Home Department (Sir James Graham) proposed a scheme of education in connexion with the Factories Bill —a scheme which was thought by everybody to give undue power to the Established Church, and which, in consequence of the opposition of the Dissenters, was withdrawn. In 1847, the noble Lord comes forward with another scheme. It has the same defect; its object, tendency, and result will be to give enormous and increased power to the clergy of the Established Church. It is a scheme of which the Dissenters cannot avail themselves, in accordance with the principles by which they are Dissenters; and, therefore, they are bound now to step forward and protest against this as against the former schemes. And I wonder not they have come to the conclusion that it is dangerous to them as members of Dissenting bodies, and dangerous also to the civil liberty of the people, that the State should interfere with education, since the Government, it appeared. was not able to interfere without giving increased power to the clergy of an already dominant Church. The right hon. Gentleman the Member for Edinburgh, and the noble Lord who has just sat down, have both failed to convey to the House any intimation that there is much doing in the cause of education by voluntary effort throughout the kingdom. Why, if a man came to this House from any other country, and knew nothing of what was going on in England, he would have come to the conclusion that voluntary efforts had not only not succeeded, but had never even been attempted—so little would appear to have been done from the statements they made to the House. If these efforts have succeeded, I take it few Members will say that any interference by the Government is desirable. If there be one principle more certain than another, I suppose it is this, that what a people is able to do for itself, their Government should not attempt to do for it. For nothing tends so much to strengthen a people—to make them powerful, great, and good—as the constant exercise of all their faculties for public objects, and the carrying on of all public works and objects by voluntary contributions among themselves. I will just ask the attention of the House for a moment as to what has been done during the last few years. The right hon. Gentleman the Member for Edinburgh said, we had been trying the voluntary principle ever since the Heptarchy; that the voluntary principle had been, in fact, for generations and ages on its trial; and the result was, that we had an enormous amount of intellectual destitution in the country. But it is not a fair statement to say, that we have been trying the voluntary system since the Heptarchy. I take it we have not been trying the voluntary system to make railroads since the Heptarchy, but since the year 1830; and it would be as fair a statement to say, that the voluntary system would never make railroads for this country, because it had not made railroads in fifteen or sixteen years, as to say that the voluntary system will not educate the people, because it has not provided full means of education since 1790; many archbishops, bishops, and other distinguished members of the Established Church having opposed themselves to the effective education of the common people. The House is not very fond, and I admire its judgment in this respect, of hearing statistics on a question of this kind; but it is a matter of figures as to what has been done. Looking to the statistics given by the friends and opponents of this measure, Dr. Hook and Mr. Baines, and others who have made calculations on the subject, it appears that from the year 1818 to this time the progress has been something extraordinary. In 1818 there were 674,000 day-scholars in England and Wales; in 1833, there were 1,276,000; in 1847, there were 2,147,000 day-scholars. Thus, in 1818, the proportion was 1 in 17 to the population; in 1833, it was 1 in 11; in 1847, it was 1 in 8. The population has increased only 49 per cent since that time, whilst the scholars in our day-schools have increased at least 210 per cent; that is, leaving out of view the numbers who are Sunday scholars. I agree with the noble Lord who spoke last, that Sunday-school education is not all the children should have: when you are complaining of the want, the destitution, of education, it is fair that should be taken into account. In 1818, the Sunday scholars numbered 477,000; in 1833, they were more than 1,000,000; and from that time to this there has been a very rapid increase. Now, look at Scotland. The right hon. Gentleman the Secretary at War, I think, is not in his place, or he could tell us something about the Church with which he is so honourably connected, I mean the Free Church of Scotland. If within three or four years they have raised more than 1,000,000*l.* sterling, if they have built or offered to build schools in some 600 or 700 parishes, what will the right hon. Member for Edinburgh say to this? I have been in their churches and chapels; and if there be one thing more honourable to the Scotchmen of this generation than another, it is the magnanimous and wonderful efforts which the members of that communion have made to constitute themselves as a Church free from the trammels and embarrassments attendant on a connexion with the State. But we will take Wales, and see what has been done there. In the *Carnarvon and Denbigh Herald* of the 21st of March, 1846, I find it stated, that

> —"about seven or eight years ago, in the seventy-three parishes of Anglesea, in which there were churches, there was not one Sunday school connected with the Established Church, whilst there were in the county no fewer than 156 Sunday schools kept by the various denominations of Dissenters."

And the statement went on—

> "There are now in the six counties of North Wales alone 1,022 places of public worship, in which Sunday schools are regularly kept by Dissenters, and well attended, viz.—

Calvinistic Methodists . .	479 schools
Independents . . .	260
Baptists	81
Wesleyans	202

> which were attended by upwards of 140,000 children altogether."

With respect to Wales, there is this remarkable fact, that the education of the common people—of the labouring classes—has been altogether the work of the Dissenting communities in that part of the kingdom. There is not a Member of this House from Wales, on whatever side of the House he sits, who will deny that something like nine out of ten of the labouring classes in Wales who have received education within the last fifty years, have received that education at the hands of the Dissenting bodies. There is, I believe, a Commission of educational inquiry now at work in Wales. We have not their report yet; but I venture to foretell that when that report is printed it will establish the fact I have stated—that where the Church has educated one child, of late years, the Dissenting bodies have educated from eight to ten. The noble Lord at the head of the Government appears to differ from his right hon. Colleague the Member for Edinburgh. From what he states, I understand he is of opinion that the voluntary principle has done a good deal—namely, it has provided schools sufficient for the wants of the population. The noble Lord said, speaking of his coming back to office—

> "When, however, we came, being newly appointed Members of the Committee to consider

> the state of education, it appeared to us that a very great number of schools had been built, and that there was no longer such a demand as there had been for money to build schools; and that as various deficiencies in the management and conduct of the schools had been observed, it would be advisable to make Minutes, proposing a different distribution of the sum which might be voted by Parliament, and laying down in those Minutes what the application of that sum should be."

So that we have the authority of the noble Lord for this fact, that the system hitherto pursued, the voluntary system, has provided schools in about sufficient abundance; and it is because the Government actually did not find that they had the means of distributing their grants for the building of schools, that they now come before the House and ask for powers to be allowed to spend the grants in improving the quality of the education. Is it likely, I ask, that the system which has built their schools for many of the population of this country, will be so very long a time in improving the quality of the education given in them—is it likely that we shall have to wait long before it will be no more necessary to pay and pension the schoolmasters out of the public funds, than it is now to build schools for the accommodation of the children taught? The noble Lord says—" I do not understand, then, why any Dissenter should refuse to partake of this grant on the ground that part of this money is given to Church of England schools, these Church schools being supported by the subscriptions of individuals who are members of that Church." I think it was not very ingenuous of the noble Lord to make such a statement as this in his speech. He must know it is not because the Church of England receives money from this grant that Nonconformists object to the grant; but it is because Nonconformists themselves, in accordance with the principles by which they are so, cannot receive public money for the teaching of religion in their schools; and, therefore, they object to the State giving money as an advantage to the Church schools—an advantage by which they must profit, and which will certainly be most damaging to the Dissenting schools. The right hon. Member for Edinburgh does not generally speak with great courtesy of Dissenters and Nonconformists. I have heard him speak in this House, I think, of the braying of Exeter Hall; and last night he spoke frequently of the clamour made out of doors. It is a very old story for gentlemen in office—and there must be many comforts, conveniences, and pleasures, no doubt, connected with office, or men would not seek it so much—it is a common thing for men in office to say that any opposition made out of doors to their plans is clamour. But I ask whether it is likely that 500 men, from all parts of the country, would come up to London, and take the trouble they have done, meeting all the hostility and obloquy heaped upon them, if they did not believe that there was something important in the Minutes to the interests of the different religious communities with which they were connected? and I think that the right hon. Gentleman is one of the last men in this House who should treat this movement as clamour, and pooh-pooh it as if it came from an unreasonable class of persons. The right hon. Gentleman tells us that they are abandoning all the principles the Nonconformists of past times ever taught; he tells us what republican statesmen and leaders in the United States have said, what has been done or held by Washington, Jefferson, and the commonwealth of Massachusetts. But is there any comparison between the United States and the United Kingdom? Is there any Established Church in the United States? Has the commonwealth of Massachusetts, in every one of its parishes, a gentleman highly educated, well paid, connected by birth or standing with the aristocratic and privileged classes planted in every corner of the country, not influenced by the popular sentiment and the popular mind, but acting always in unison and conformity with the privileged class to which he is attached? Give us, if you please, the state of things that exists in the United States, and particularly in that State of Massachusetts. Free us from the trammels of your Church—set religion apart from the interference of the State—if you will make public provision for education, let not it depend upon the doctrines of a particular creed—and then you will find the various sects in this country will be as harmonious on the question of education as are the people of the United States of America. Just recollect, when the whole of the Nonconformists are charged with clamour, what they mean by being Nonconformists. They object, as I understand, at least I object, to the principle by which the Government seizes hold of public funds to give salaries and support to the teachers of all sects of religion, or of one sect of religion, for I think the one plan nearly as unjust as the other. Either the Nonconformists hold this opinion, or they are making a sham. They object to any portion of the public money going to teachers of religion belonging either to the Established Church or to Dissenting bodies; they object to receive it for themselves. They find certain Minutes infringing on this principle. You wish to establish a system by which the young persons of this country shall be trained to certain religious tenets. In your Church schools, we are to have the catechism taught, and the liturgy taught, as well as the Scriptures read. All this is to be done under the cognizance and supervision of the clergyman of the parish. The children are to be examined by the clergymen and by inspectors appointed by the Government, who are also to be clergymen of the Church of England. The Minutes do not say so; but under the compact entered into by the Government with the Church, they can appoint no inspector who is not palatable to the Archbishop of Canterbury. The inspector must be discharged if the Archbishop expresses an opinion unfavourable to him. Of course this is in Church of England schools only. I admit that the noble Lord will not carry it the length of proposing this for Dissenting schools; he will not venture to do so. We are not yet so humiliated as that. No Government in this country durst attempt to carry that into effect; but if you had the power to carry out the spirit expressed in the Minutes, I say the Dissenting schools would not be free from interference by the clergymen of the State Church. I am prepared to contend that the powers given by these Minutes to the clergymen examiners are calculated to give a great increase of power to all the clergymen of the Established Church. They are made public officers with respect to schools. Now, the vicar of the parish enters the schools, and inquires about the children; but he has no more power than any other gentleman who may choose to visit it and do the same. But by your Minutes you empower him to enter under the authority of an inspector, who, by your compact with the Church, can only be a clergyman of the Established Church. I say these clergymen and inspectors are prone to meddle with everything. They will go there and examine the children in their books; they will interrogate the teachers as to their methods and their learning. Do you think, if they find a child whose brother or sister goes to a Dissenting chapel, the clergyman will not be zealous enough to use his influence to induce him to attend the Church? This would be only of a piece with the conduct observed in other respects. It is notorious that, in all parts of England, charities, never intended to be used for the promotion of particular religious opinions, but which are in the hands of the Established Church, are distributed with a view to the effect they may have in bringing an increase of attendance to the National schools or the churches of the Establishment. I know numbers of these cases myself; and I know that a child who did not bow down to the Church, or who refused to go to a National school, would find himself placed under the ban of the clergyman. All the inducements to him, you vaunt of, to rise in the world, and gain an honourable station in society, would be merely as the idle wind that blows, and would be of no avail whatever to obtain for him an honourable place in life. If anything were wanted to show the effect of these Minutes, look at the triumphs your propositions have excited among the members of the Established Church, and the clergy especially. Was there ever a good and beneficial measure for Nonconformists proposed that was received with an exulting shout of gratulation by the hon. Baronet below me (Sir R. H. Inglis), by the Bishops, and by all the clergy of the kingdom? I am wrong, perhaps, as regards the hon. Baronet; he did not loudly exult, but he took the measure meekly, he took it thankfully. I acknowledge that the Church is thankful for everything it can get, and it never loses anything for want of asking for it. I confess I am astonished that Churchmen throughout the country—I do not speak of the clergy, but the laity—have supported this measure, because I think they are as much interested as the Dissenters in opposing any extension of power on the part of the clergy. Nothing tends more to impede the progress of liberty, nothing is more fatal to independence of spirit in the public, than to add to the powers of the priesthood in matters of education. If you give them such increased powers by legislative enactment, you do more than you could effect by any other means to enslave and degrade a people subject to their influence. There is yet another point to which I must advert. In the speech of the right hon. Member for Edinburgh, who dwelt with great emphasis on the impartiality which he attributed to this proposed system, the right hon. Gentleman said:—

"I do wish that, instead of using phrases

> of disparagement against the scheme proposed, hon. Gentlemen would just answer me this plain question :—Supposing in any one city there should be a school connected with the Church, another connected with the Wesleyans, and another with the Presbyterians—will any Gentleman distinctly point out to me what share of the public money or what patronage is that which the school connected with the Church will get, and which the other schools will not get ?"

That was the question to which the right hon. Gentleman asked for an answer. If the right hon. Gentleman had looked over the grants that have already been made, he would have found that out of the sum of 149,000*l.*, which during the last three years has been distributed by the Committee of the Privy Council, the Church has received 141,000*l.* There never was anything so impartial. [" Hear, hear !"] No doubt hon. Gentlemen opposite, who cheer, will say that the Dissenters might have had it if they had asked for it. True, but the Dissenters were of a different temper from that. They did not separate from the Established Church, that they should afterwards come whining and asking the Government to support their educational system. Their very principle is that the Government has no right to appropriate public funds for the purpose of religious instruction. The right hon. Gentleman the Member for Edinburgh knows right well that in times past they have refused the public money for such a purpose, and that in times to come they are likely to come still less forward than hitherto to avail themselves of such support. The right hon. Gentleman took us to the United States last night, and I will ask him to accompany me there now for a moment. The impartiality of your plan is like this. Suppose at the present time in the United States—there being no Established Church there—the Government were to offer an endowment to the religious sects, and nine-tenths having refused to accept it, the Government were to persist in endowing the remaining one-tenth, while the others protested against the principle of endowment altogether; I take it that in that condition of things the plea of impartiality would be as just and fair as that put forward in the present case by the right hon. Gentleman. The Dissenters have not taken, and they will not take this money; and it must be clear to those who know the history and understand anything of the principles of Nonconformity, that any Nonconformist who takes one sixpence of this grant for the purpose of teaching the tenets of his particular sect, can never afterwards, with any show of consistency and good faith, say one syllable against the domination and usurpation of the Established Church. I think that in this year of 1847 the time may be said to have come, when, although the members of the Established Church may not consider such scruples wise and prudent, the scruples which do exist and are conscientiously entertained by thousands and millions of our countrymen should be respected, and when the Government should pause before it holds out an enormous temptation to men to abandon their principles; and, in the event of their refusing to abandon them, offers an enormous advantage to the members of the Established Church. With respect to the Roman Catholics, the right hon. Gentleman did not give a direct reply to the statement of the hon. Member for Finsbury on that part of the subject, when he read an extract from a speech of the noble Lord in 1839; and, as there has been some talk of the negotiations which have been going on with the Wesleyans during the last fortnight, I should be glad if the right hon. Baronet the Secretary of State for the Home Department should think it worth while to notice anything I say, to receive an answer to this question—Has the Privy Council or not communicated with the authorities and dignitaries of the Roman Catholic Church with respect to the appointment of inspectors of Roman Catholic schools ? If they have, then it follows of course that they must have had the intention when these Minutes were laid upon the Tables of both Houses of Parliament, to make grants to Roman Catholic schools. That would be something noble, something great, something to be admired, in coming forward to offer this great boon to all classes of the people without favour or distinction. In this House I have often heard men taunt the Dissenters with bigotry in their conduct towards the Roman Catholic population; but let it be said that those Dissenters have ever accorded and been willing to accord to their Roman Catholic brethren all and everything they sought and could conscientiously accept for themselves. Civil rights and privileges the Dissenters were ever willing to grant to Catholics. Why, many of them who have had seats in this House since 1829 would never have found admittance here had it not been for the assistance they received in their struggle for civil liberty at the hands of the Dissenting body. My honest opinion is this, that when these Minutes were laid upon the Table, the Government intended, and most wisely, to open these grants to all persons of all religious persuasions whatsoever. The Government had no idea that there was going to be a disturbance about these Minutes. They were drawn up by a very clever secretary, who, like other secretaries, was disposed to magnify the importance of his office, and when drawn up they were, no doubt, submitted to the oversight of the Bishops in the other House. The whole thing was comfortably concocted, and it was supposed the Dissenters would take it without asking any questions. But the moment the Wesleyans evinced a disposition to join other Dissenters in resisting the measure, it was feared that the opposition might grow too formidable, and negotiations were entered into. Possibly the Government did not make the first overture to this negotiation; but it often happens in these cases, as every body knows, that there is some convenient friend to make the primary advance, and put the negotiation in train. At this time the Wesleyans are supposed to be under the delusion that the Roman Catholics are to be excluded; and if they are, I am reminded of what has been said by some writer, that it is sometimes almost as pleasant to be cheated as to cheat. I am not now going to detain the House with any observations with respect to the construction of the Committee of the Privy Council, nor will I enter into particulars of the expenditure to be incurred, or of the bribes to be offered. This only I will remark that I believe the last thing any reasonable man would do to elevate his fellow-man, is to make him a pensioner or recipient of the bounty of the Government. But the question is, whether the Nonconformist, forming so large a part of the population of this country, are to have their feelings and principles disregarded in the course of legislation you adopt—whether a new system of education is to be introduced in which you teach every body's religion at every body's expense? The Nonconformists deny your right to do this: they will not receive your money. You offer them that which is of no value to them; and the Church, less scrupulous, receives the gift. The consequence is that the schools of the Dissenters will stand at an enormous disadvantage as compared with the Church schools—the one class depending solely upon voluntary contributions, the other having certain bribes attached to it of provision for life, and for the maintenance of which the House is asked to vote at the expense of all. I will say nothing now of the wonderful statesmanship which has chosen this particular season to open an arena of strife, and throw down an apple of discord amongst us when there was an appearance of concord and unanimity. I am sorry it has come to this; I am sorry, not because of the particular effect it may have upon this Government or that Government, but because I must ever regret to see discord and bitterness introduced upon religious subjects, and because I know that when once this strife begins, real interests, useful matters, are neglected; and men separate and stray aside from paths which they might tread together to the advantage of their common country. I will now, Sir, conclude; and if I have been betrayed into some warmth of expression, let it be remembered that I am avowedly a member of the Nonconformist body. My forefathers languished in prison by the acts of that Church which you now ask me to aggrandize. Within two years places of worship of that body to which I belong have been despoiled of their furniture to pay the salary of a minister of the Established Church; and when I look back and see how that Church has been uniformly hostile to the progress of public liberty, it is impossible for me to refrain from protesting against the outrages committed by the Government on the Nonconformist body for the sake of increasing the aggrandizement of a political institution, with which, as I hope and believe, the time is not far off when this country will dispense.

Sir G. GREY: I assure the House that no one more deeply regrets than I do, that the elements of angry strife and debate should have entered into the discussion of a question, the importance of which has been universally admitted; but, notwithstanding all the difference of opinion that may exist as to the means of promoting education—notwithstanding all the experience we have had of the difficulty of dealing with the subject—there is one satisfaction which we may feel in common, that in the debates of the present day we hear no more of those fears and apprehensions which, at former times of our history, were expressed as to the danger of diffusing instruction and knowledge amongst the lower classes of the people. The hon. Member for Durham says, that if it is the duty of the Government to educate the people, how is it that amongst our greatest statesmen, we have had none in this country who have attempted this important object? I am afraid, from this observation, as well as from other parts of his speech, that the hon. Gentleman is not so well read as he ought to be in the Parliamentary history of our country. Even if he looks back a few years—since he and I first became Members of this House—he will find that this is not the first occasion on which great statesmen of this country have endeavoured by the aid of their talents and exertions to remedy the evils of ignorance, and to diffuse the blessings of a sound education. Without adverting to the efforts of living statesmen, it is about forty years ago that the late Mr. Whitbread, whose memory I have every reason to respect, proposed a measure for the establishment of parochial schools; and that measure received the cordial and hearty support of another distinguished Member of this House, who never lost an opportunity of lending the aid of his talents and character to everything that could promote the welfare of the people—I mean the late Sir S. Romilly. That Bill passed this House, though it was opposed in its progress by arguments founded on those apprehensions to which I have before adverted, but which are not now heard of; but, unfortunately, it was rejected in the House of Lords, owing to the prevalence of those apprehensions. But if the elements of strife have been introduced into this debate, the Government are not responsible for it; they have arisen from the ground taken, and from the assertions made out of this House, faintly echoed by my hon. Friend the Member for Nottingham, and repeated by the hon. Member for Durham, who alone appears to represent those who have made them. The hon. and learned Member for Bath last night accused my right hon. Friend the Member for Edinburgh of wasting his talents and the time of the House by arguing a question upon which we are all agreed; and my hon. Friend the Member for Cockermouth asked to-night, where was to be found the man bold enough to assert that it is not the duty of the Government to educate the people? and no one in this House has been found to assert it openly, until the hon. Gentleman, professing to speak the principles of the Nonconformists, said it was inconsistent with those principles that they should receive any money from the State to educate the people. He said that, being Nonconformists, they could not receive money to educate the people; and that it was this principle of objection to receive money from the State for purposes of religious education, which induced them to separate from the Church. But here, again, I must ask the hon. Gentleman to read history again, before he attempts to enlighten Parliament on the principles of the Nonconformists. Those may be the principles of the Nonconformists of 1847; but, I ask, what were the principles of those great Nonconformists whose names are identified with the history of their time, and whose lives were in jeopardy from the principles they professed? I ask the hon. Gentleman to study, with the attention he has evidently not yet bestowed upon the subject, the lives of Howe, of Baxter, and of Oliver Heywood. Were not they in favour of endowments? Did not they hold livings; and is it not a notorious fact, that it was not their objection to receive money from the State, but their refusal to submit to the Act of Uniformity, that drove those valuable men out of the pale of the Church, and inflicted upon it an almost irreparable injury? But my hon. Friend the Member for Nottingham seemed to think he had established a *reductio ad absurdum* in the reasoning of my right hon. Friend, because his arguments might be used in favour of a Church Establishment. I do not think it is necessarily any *reductio ad absurdum* of my right hon. Friend's argument if it showed that it was the duty of a Government to encourage Church Establishments, or that on that ground grants of money for the purpose of education must be refused. But I deny that they rest on the same footing; and my right hon. Friend brought forward the example of a country in which there was no ecclesiastical establishment whatever, to show that those who are not in favour of a Church Establishment might consistently support endowments for educational purposes. It is true that this argument, as to the right of the State to concern itself in the education of the people, has not formed the staple of the speeches in this House in opposition to the proposed measure. That it is the duty of the Government to concern itself with the education of the people has been admitted by almost all hon. Members who have spoken on this subject, until the hon. Member for Durham rose. But what has been the case out of doors? To-night the hon. Gentleman presented a petition to which the greatest weight is to be attached, as it represents the principles of those from whom the opposition to this measure principally arises—it was the petition of 500 gentlemen from all parts of England, agreed to at a meeting held at Crosby Hall on the 13th of April; and the hon. Gentleman said, the petition was expressed in the usual terms in which petitions against the measure were expressed. I agree that it is, and that, if those petitions were analysed, 99 out of 100 of them would be found to object to any grant whatever for education. At the end of the petition is the following passage: "These petitioners distinctly avow that it is not within the province of the Government to educate the people." Although the hon. Gentleman objected to my right hon. Friend controverting this principle, and said that it was not the question at issue now before the House, yet I thought as the hon. Gentleman proceeded with his speech, that he not only regarded it as the question, but asserted that it was the very essence of Nonconformity, and that as a Nonconformist, he felt bound to support that principle. But if the hon. Gentleman thinks that the principle is not explicitly stated in this petition, I hold in my hand resolutions passed at a meeting of the members of various bodies of Dissenters who are opposed to all Government interference with the education of the people, and which, together with many other similar documents, have been widely circulated. This meeting was held in Liverpool, on Thursday, April 15th, the Rev. Dr. Raffles in the chair; and when I mention the name of Dr. Raffles, I beg to assure hon. Gentlemen that I wish not to speak with the slightest disrespect of that Gentleman. I merely want to see what are the principles which have been asserted at public meetings held in the country by the opponents of this education measure, and to contrast them with the tone adopted throughout the debates on the subject in this House until the hon. Gentleman (Mr. Bright) himself rose and addressed us. Two resolutions were passed at this meeting, in the first of which the parties comprising that meeting avowed the deep interest they took in the education of the people, regarding it as a subject of vital importance to the well-being of the country; and rejoiced at the efforts that had been made by various classes of the community to increase the school accommodation, and to improve the quality of the instruction imparted; and stated that they were justified, by what has been accomplished, in expressing their strong conviction that the voluntary exertions of the friends of education are fully adequate to supply all that is requisite to place the means of sound instruction within the reach of all classes of the people. The next resolution ran in these words:—

> "That, entertaining these views, this meeting regards the interference of the Government with the education of the people as not only altogether unnecessary, but wrong in principle, at variance with sound policy, injurious to parental responsibility, and calculated, especially in the existing state of parties, to produce serious evils, detrimental to the very object which such interference is designed to promote, and therefore cannot but consider the steps which have already been taken by the Legislature in this direction rather as an error to be corrected, than as a benefit to be perpetuated and extended."

I think the hon. Gentleman must admit that his objection is here stated in most specific terms, and that the character of these resolutions is that of distinctly laying down the principle that the Government ought not to interfere with or concern themselves about the education of the people. Now, taking the second resolution first, which speaks of the interference of the Government with the education of the people, I must express my own conviction—although I believe it is unnecessary to argue the question, which has been generally if not universally conceded in the House—that the very fact of the admitted importance of the matter, and the magnitude of the interests involved in the sound instruction of the people, is itself a sufficient proof that the Government has no right to stand aloof, and not to concern itself on this most important subject. If it is admitted that the moral, religious, and intellectual improvement of the people is the best prevention of crime, and the best foundation and security of a nation's prosperity; if, to use the language of an eminent Nonconformist, whom, no doubt, the hon. Gentleman regards with equal respect as myself—I mean the late Robert Hall—if, to use his powerful language, the people form the broad basis of the great pyramid of society, which, while it continues sound, affords stability to the whole; but by a rent in which the entire fabric is endangered—if this be true, what nobler or worthier object can a Government have, or what duty can be more legitimate, than to devise, foster, and encourage those means which, without interference with the rights of conscience, are calculated to remove popular ignorance, the source of such extensive evil? The hon. Member for Nottingham, in the course of his address, admitted the novelty of his views, not as respected himself—for I believe he is entitled to the merit of consistency—but as regarded their avowal in this House. He freely avowed that the views he advocated had not been heard in this House before he himself enunciated them; and I believe that he is perfectly correct in the statement. I believe it is quite true that he is the first Member who ever stood up in this House and maintained that neither with religion nor education was it the duty of the Government to interfere. The very reverse of this doctrine has on repeated occasions been distinctly affirmed in this House. It has been affirmed most emphatically on various occasions within the course of the last few years; and this being so, I entirely concur with the hon. Member for Durham in thinking that it was not at all to be expected that the Government should have anticipated any objection to the principle of a State grant for educational purposes. In February, 1843, Lord Ashley moved for an Address to the Crown to take into consideration the best means that could be devised for securing the blessing of a moral and religious education to the working classes. That Motion was prefaced by an able speech from the noble Lord, in the course of which he demonstrated, by reference to statistical calculations, the utter deficiency of the existing means of education for the requirements of the people, and founded on it the inference that it was the duty of the Government and the Legislature to deal with the great evil, and endeavour to abate it. The right hon. Gentleman opposite expressed his general concurrence in that sentiment, and it was also adopted by my noble Friend at the head of the Government. A debate ensued, but not a solitary voice was raised against the principle of the resolution, which was unanimously adopted by the same hon. Gentlemen who now constitute this House. [*Expressions of dissent from Mr. Bright.*] Perhaps I am not strictly correct. The hon. Member for Durham, I believe, was not a Member of this House at that period; and I suppose I am to infer that, had the fact been otherwise, there would have been at least one dissentient—at least one solitary voice to cry "No," when you, Sir, put the question from the chair. But I can recall an occasion when the hon. Gentleman was in the House, and when he at least gave the assent of silence to a principle similar to that which has now evoked in so marked a manner his hostility. I allude to the occasion in the early part of last Session, when the hon. Member for Coventry brought forward a Motion of a similar kind to that proposed by Lord Ashley, though designed to be more limited in its sphere. The Motion in question had an exclusive reference to Wales; and the hon. Member for Coventry, in the course of his prefatory remarks, entered into statistical details, showing that the same educational deficiencies which had been alleged to exist in England, prevailed to a still greater extent in the Principality. His Motion founded on that statement was similar in character to that brought forward by Lord Ashley, being for an inquiry into the state of education; and the whole tenor of his speech led to the supposition that his object in collecting authentic information was, that the Government should take steps to increase the facilities for education by means of a grant from the public treasury. Did the hon. Member for Durham object to the proposal? Did he say a single word to lead the House to believe that they were committing themselves to a Motion which compromised his conscientious convictions? Not at all. How, then, am I to account for the inveteracy of his hostility to the principle now? I confess I am at a loss to account for it. I do not want to multiply authorities on this matter; but if I did, I might quote Robert Hall again, and refer to those eloquent pages in which he advocates from time to time the cause of popular education. He speaks of the parochial schools of Scotland as the source of the superior character, energy, and disposition of the great body of the people of that country; but it never entered into his head that all these ought to be swept away, because they interfered with the religious independence of the people. It has been asserted—and I was astonished when I read the assertion—but it has been asserted by Mr. Baines, in one of his letters, that these parochial schools in Scotland kept down, both in quantity and quality, the character of education. That, I believe, is an affirmation not in accordance with the general opinion of this country. I have one more authority to quote, from a newspaper. But I believe it is matter of notoriety, that whatever appears in that paper is in accordance with the opinions held by Mr. Baines himhimself. I quote from an article in the *Leeds Mercury* of the 18th of March, 1843. It has reference to the Bill introduced by Sir James Graham on factory education. The House will well remember the opposition with which that Bill was met by the general Dissenting body of the country. Speaking of the schools to be established under the Bill, Mr. Baines says—

> "In most of the manufacturing districts, Dissenters are more numerous than Churchmen; and we think, therefore, it would only be just that there should be two schools established in each district, and equally supported out of the poor-rates and the public funds; one of them on the principle of the National Society, and the other on the principle of the British and Foreign School Society. This is the spirit in which the Government aid to schools has hitherto been distributed, and this spirit ought still to animate our legislation."

The hon. Gentleman has said, in a taunting way, that the Government did not expect the opposition which has been raised to their proposals. I confess I never did expect this opposition from parties with these recorded opinions. The publication of such sentiments as those I have cited, seemed to us to have rendered opposition from such a quarter a very improbable contingency indeed. In the face of the recorded opinions in this House—in the face of the practice of the Government and of the Legislature during past years—and in the face of the recorded opinions of the Nonconforming body itself, I certainly did not expect that a new principle would now, for the first time, be started, and that we should be accused of innovation, in adopting principles in which this House has repeatedly declared its acquiescence. The other resolution of those to which I have already referred as having been adopted at the Liverpool meeting, not only objects to the principle of State endowment, but maintains that the interference of Government is unnecessary, inasmuch as that voluntary exertions are fully adequate to supply all the educational requirements of the country. The hon. Member for Durham dwelt much upon this point, and contended that there had been a great increase in the number of day and Sunday schools and scholars since 1818. I do not deny the fact, neither do I desire at all to underrate the value of voluntary exertions. I admit their great value, and confess that, were it not for the assistance of such efforts, the interference of Parliament and Government would be fruitless. Parliament, I admit, cannot hope to effect any material good without such efforts; but, on the other hand, I am bound to express my conviction that voluntary efforts have failed to meet the growing wants of our people, and that notwithstanding the extent of their operations a great field remains yet uncultivated, on which we are bound to enter and labour assiduously. It is by the combination of voluntary effort with aid from the Government, that I think larger results are to be looked for. I will not, after the length to which this debate has already been protracted, weary you by quoting from the reports of prison inspectors, or from criminal statistics. Suffice it to say, that a reference to the last criminal tables presented to this House, although there may be a growing increase of the per centage of those offenders who have received some kind of education, show still a lamentable deficiency of education amongst those whose misfortune it is to be the inmates of our prisons—a deficiency which clearly attests that the voluntary system has failed fully to accomplish the great object it aimed to attain. The hon. Gentleman has referred to Wales as an illustration of how much more has been done by the Dissenters than by the Church. I do not desire to say a word in disparagement of the valuable service rendered by Dissenters to the cause of education; but this is not a question of the comparative number of schools instituted by them and by the Church. Taking Wales as an illustration of my argument, I would ask the hon. Member for Durham whether he is prepared to say that the state of education in that Principality is such as he would himself wish to see it? The hon. Member talked much about the Free Church of Scotland; but if he quoted that body as hostile to the principle of Government grants for educational purposes, he speaks in ignorance of the true state of the case. One large presbytery of that Church agreed to petition against the particular grant now proposed to be made, and did me the honour of entrusting their petition to me; but so far from declaring themselves hostile to the general principle of State endowment, they were most distinct in expressing their unwillingness to have it supposed that they joined in this ground of opposition. They said that inasmuch as "the Government scheme" recognised the principle of grants for education, and of religion as forming part of that education, they hailed it with satisfaction; but they feared that the scheme was too latitudinarian. They did not think that the mere use of the authorized version of the Scriptures afforded an adequate safeguard that truth and error might not be equally inculcated in the schools to be established under the Minutes; and it was under this impression that they felt themselves called upon to express their disapproval of the plan. Of their opposition, therefore, I can well afford to make a present to the hon. Member. But then again to revert to the authority of Mr. Baines. What course did he pursue with reference to the statements made upon Lord Ashley's Motion? He did not attempt to impugn the proposition for which the noble Lord contended. He did not attempt to deny the assertion that there was a want of education amongst the people; he merely contended that the noble Lord had painted Leeds in too black colours, and London in colours not black enough. In his letter to the late Lord Wharncliffe, the then President of the Council, he merely argues that Westminster and London present more fitting spheres for Lord Ashley's exertions than Leeds. Two things, therefore, appear to me to be admitted—that education is a good thing, and that it is a matter with which a Government should concern itself. We come then to the course pursued by the Government. My noble Friend who is at the head of the Woods and Forests, says, that three courses were open to the Government. It is my own impression that there were only two; for I cannot think that it could have been possible for any Government in these days to have proposed that the whole education of the people should be placed entirely in the hands of the Established Church. Neither can I adopt the *tertium quid* that we could stand by with arms folded, idle spectators of a state of things which all must admit to be deplorable. Two courses were open—the one that proposed by the hon. Member for Bath, the other that actually adopted by the Government. The first was, that we should form an entirely new system of education, disregarding the divisions into which the people of this country are unhappily broken up on religious matters—disregarding the vast number of schools already existing, and making a scheme for bringing people of all religious denominations together in a general combined system of education. My objection to that project is, that I do not believe it to be practicable. If we had proposed it, I am certain that we should not have been supported by any large class of Christians in this country, nor by any considerable party in this House. The conviction out of doors would be, that such a project could only be realized by restricting the teaching in the schools to a mere secular education; and the earnest religious feeling of our community is so strong, that it would be fatal to any such enterprise. It would have been an utterly hopeless attempt. The only other plan is that which is now proposed for your adoption by the Government. I adopt the description of it which has been given in his excellent speech by my noble Friend the Member for Liverpool, who tells us that it is, properly speaking, no "scheme" nor "new system of education." The principle on which the Government has acted is not that of instituting a new system, but of endeavouring to improve existing schemes and systems. We do not supersede any agency at present at work in the cause of education. The object we propose to ourselves is to elevate the character of the education given in the existing schools, and to improve the position and raise the standard of acquirements in the schoolmasters of those popular institutions. Since the principle has been affirmed and adopted of grants from the State for educational purposes, no less than 3,000 schools have been established by the aid of those grants. It appeared to the Government that the time was now come when an attempt should be made to increase their efficiency and usefulness. It is not true, as it is supposed to be by the hon. Member for Nottingham, that ours is a plan to control the education of the people. What we propose is to aid and encourage voluntary exertions, and to make them more valuable. It is very desirable that more union should exist upon this question; but if you wish to see what you consider prejudices discarded, and harmony of feeling established amongst the people, you can only hope to do so by giving them the blessings of education. My noble Friend at the head of the Government has expressly stated that he does not offer this as a perfect and complete plan. If it were offered as such, I could not defend it. I only advocate it as the plan which in the existing circumstances of the country, regard being had to the feelings of the country, and to the opinions which have been expressed in this House, appears at the present moment the best and the most likely to be successful in promoting popular education. But what are the objections which have been urged against this plan? It has been alleged to be the enforcement by law of the Church catechism and liturgy as a part of the education of the people. That I altogether deny. The effect of it will be, not to impose those or any other books or catechisms which are not already taught—not to interfere with the nature and kind of instruction given in existing schools; but to infuse new life and energy into the schools which now exist, and which at present are imperfect and defective in the character and standard of the instruction given in them. With respect to the catechism, the use of it is already required in schools which belong to the Church of England; but I agree with my noble Friend the Member for Liverpool in the wish that there was a less rigid enforcement of the use of the catechism in the case of all children attending these schools; and I trust that the good sense and right feeling of the clergy will lead to this result. I presented to-day a petition in favour of this measure from a parish in the north of England, which was accompanied by a letter from the clergyman of it, in which he informs me that his schools are attended by many children of Dissenting parents (Presbyterians being numerous in the parish, owing to its being near the borders), and that none of those children were compelled to learn the catechism or the peculiar doctrines of the Church of England; and I hope that this practice will become general. With respect to the allegation that it was one of the provisions of the Government measure that the inspectors of Dissenting schools should be approved by the Archbishops, I can only say I am glad to find the idea has been scouted even by the hon. Member for Durham. It is almost needless to say that anything of the kind was never contemplated by the Government. The object of our plan is to foster and encourage the educational establishments already existing, and to give them new life and vigour. As to the likelihood of its accomplishing this object without partiality, I may refer to a pamphlet written in his individual capacity by a gentleman long connected with the British and Foreign School Society. His experience for many years in the cause of education, and his connexion with the Dissenting body, bestow much value on his opinions. He says, on a review of this plan—

> "That the assistance thus offered to schools will, if generally accepted, be productive of the greatest possible benefits to the community, tending to the immediate improvement of elementary education, and facilitating all subsequent endeavours to secure a continued supply of well-qualified instructors. That the provision made under the Minutes for the selection, examination, and subsequent support of monitors, pupil-teachers, and candidates for normal schools, is just and equal, in no degree favouring the Established Church, or providing for her exclusive benefit. That the tendency of the whole measure, unless perversely thwarted, will, even in the rural districts, eventually be found favourable, rather than otherwise, to the interests of Protestant Nonconformity."

I will not enter further into this part of the argument; I will not touch upon the objection as to the supposed increase of Government influence by this measure; that objection has been disposed of by the contempt with which it has been treated by almost all hon. Members who have opposed the measure; it has been absolutely ridiculed in the House, and I hope we shall hear of that objection no more. Then, with respect to the alleged inequality of the grants. That inequality does nor exist, as between Churchmen and Protestant Dissenters, in the theory of the distribution of the grants. The aid is offered equally to the members of the Established Church and to Dissenters, with the exception of Roman Catholics, of whom I shall say a word presently. It is not, however, on their part, but on that of the Dissenters, that this objection has been made to the continuance of the grant for education. But, whether they be nominal or real members of that Church, there is no doubt that those who are professed members of the Established Church greatly exceed the Dissenters in number; and therefore it must necessarily follow that applications on behalf of schools come much more frequently from members of the Church of England than from the various bodies of Dissenters. In addition to this, there is a further reason why a disproportion should exist, arising from the objection which some classes of Protestant Dissenters have recently avowed to receiving any portion of these grants. On the subject of the Roman Catholics, I shall say a few words. I admit that there is ground of complaint on the part of the Roman Catholics. I am ready to admit that in some parts of the country, I will take, for instance, Manchester, where there is a large number of Catholics, and where, as a condition of the employment of children in factories, they must attend school, there is a hardship in their exclusion from Government grants for education. After having listened with attention, and I may add with pleasure, in which I am sure the House concurred with me, to the speech of my noble Friend behind me (the Earl of Arundel) upon this subject, I cannot help feeling an increased desire to contribute, so far as I am able, to the removal of what I believe to be a grievance. But I must remind the House that the inequality in this case does not arise under these Minutes of 1846. The money to be voted this year is the same in amount as last year; and the money heretofore voted was expended in building schools for the use of members of the Church of England and of Protestant Dissenters. It is true, Roman Catholics are not excluded by name, if they are excluded at all. I say, if they are excluded at all, for I am not aware of any distinct application from Roman Catholics; but in 1839 a Minute was drawn up which did require that the Scriptures should be used in the daily instruction in the schools; and although there may be some doubt whether it be the correct interpretation of the Minute that the version should be the authorized version alone, yet if, under the Committee of Council which prepared the Minute, and the Committee of Council which acted upon the Minute, not a single grant has been made to Roman Catholic schools for so many years—I say, if neither of these Committees, without avowing distinctly an intention of excluding all but the authorized version, has not made any grant to a Roman Catholic school, it would be liable to a great objection if we acted upon a different interpretation without the authority of Parliament. But I rejoice that the subject has been brought before the House; and I rejoice at the feeling which has been exhibited by the House, that this is an injustice which ought to be removed. I have not heard one gentleman in this House rise and say that Roman Catholics ought to be excluded. I am aware that a deference must be paid to public feeling out of doors. I am aware that there is a great apprehension throughout the country as to the extension of Roman Catholic principles; and I acknowledge that I am myself not free from a participation in that apprehension. At the same time, I avow that I will not be a party to the support of any principle in any way unfair or unequal in the treatment of any class that may differ from me in religious opinions; and if the House shall affirm the proposition that Roman Catholics ought to participate in these grants, no one will rejoice more sincerely than I shall to see the difficulty removed; no one will more cordially co-operate with my noble Friend in endeavouring to frame Minutes under which Roman Catholics will be included in the benefits of the grants. I shall not touch upon the objections which have been urged to certain minute details of this measure. With regard to its alleged imperfections, I am prepared to admit that they exist, and that it ought not to be regarded as a perfect or a final measure. But I have endeavoured to deal with the main objections which have been made to it, though I must repeat that those objections have been maintained not so much in this House as out of it; and I hope that this fact will have its weight with the country, and that when it is seen that here, where we are further removed from local considerations, and are bound to take a large view of the condition and wants of the whole kingdom, and to consult for the general interests of the community, the objections and apprehensions entertained out of doors are scarcely expressed; those who have hitherto conducted an untiring, and I doubt not, a conscientious opposition against this measure, will ponder and reflect before they commit themselves to a continued opposition to it. I trust that, on maturer consideration, they will see reason to believe that the dangers they apprehended exist only in their own imagination. Let me warn them of the responsibility they incur by opposing this measure without suggesting any alternative. I speak not now of the hon. Member for Bath, who does propose an alternative, but one which I believe to be impracticable; I speak of those who object to any grants for education, and who ask us to abstain altogether from any concern in the education of the people. I ask them to ponder on the details of ignorance and crime, and to think of the thousands who, while we are disputing how they are to be educated, and who is to educate them, are growing up in ignorance and vice, training for crime and punishment, and who, if proper means were provided for their instruction, might become hereafter valuable members of society. I pray them to think of the danger which their conduct may thus promote—of the great increase which is taking place in our population, and of the consequences of not making any provision for the increased wants of the people as respects education. I again address them in the language of the same eminent individual to whom I before alluded, I mean the late Robert Hall:—

> "These are not the times in which it is safe for a nation to repose on the lap of ignorance. While the world is impelled in opposite directions, and the seeds of mutation are thickly sown, the improvement of the mass of the people will be our grand security, in the neglect of which, the politeness, the refinement, and the knowledge accumulated in the higher orders, weak and unprotected, will be exposed to imminent danger, and perish like a garland in the grasp of popular fury. 'Wisdom and knowledge shall be the stability of thy times.'"

This is the language of that eminent man, and I implore those who respect his authority, not to endeavour further to induce us to stand still as mere spectators of the evils engendered by ignorance, without making any attempt to check the moral pestilence that is spreading around us wider and wider every day, and without any attempt to instil moral health and moral vigour into the vitals of the community.

Mr. HINDLEY said, the Dissenters had not, perhaps, taken the most prudent course they might have taken with reference to this question; but he hardly thought they ought to have been so severely dealt with as they had been by the first observations of the noble Lord:—

> "Verum ubi plura nitent in carmine, non ego paucis
> Offendar maculis."

It should be borne in mind what the Dissenting body had done for the cause of the education of the people. Including the Wesleyans, they had built at least 10,000 schools, without applying to the public purse, besides the many endowments that they had contributed to the same purposes. Although therefore he did not agree with all the members of that body who had taken part in this question, he still was anxious that they should receive due credit for their exertions in the cause of religion and morality. In 1843 there was a great battle fought on the education question, and the Government of that day thought proper to yield the point which the Dissenters contested. He was certainly sanguine at that time in his belief that the voluntary effort was sufficient to educate the country; and he had himself done all that he could to give force and efficiency to the voluntary principle. Since then he had been at the head of a body by whom 120,000*l.* had been raised for the establishment of schools. He had been in many counties of England, and had argued the question, and he had met a response in the hearts of the people; but while he found many bright examples of voluntary efforts, yet, if he were asked whether he thought that the voluntary principle was sufficient for the education of the people, he must in honesty declare his belief that it was not. He could give the House many examples of the interest taken in this question by the people—especially by the lower orders. He could mention one instance where, at a metropolitan meeting, over which he presided, 5*l.* was subscribed by a person, and 5*l.* from his wife; and on inquiry it turned out that he was a gentleman's coachman. When told that it was too much to take from his earnings, his answer was, "Why, I live over the stables, and perhaps the money might be taken from me." He would, however, come at once to the question of the Government grant, as to which he must express his regret that so short a time had been allowed to elapse since the commencement of the voluntary experiment. It was only four years ago that the last education scheme was propounded; and he certainly thought that another year or more might fairly have been allowed, to see how far it would be effective. As, however, the Government had brought forward the measure, it was necessary to see how far it was possible to come to an agreement upon it. He admitted at once that he could not agree with those who considered that education was entirely out of the province of the Government. He altogether repudiated the new doctrine that if the Government took care of life and property, all their duties in regard to the moral government of the people might be abandoned. Some of those who had shone with the greatest lustre in the Dissenting interest had been of the contrary opinion. Above all, he would direct the attention of Mr. Baines and some others who thought with him to a passage contained in Foster's *Essay on Popular Ignorance*, in which he emphatically said that a time would come when the rulers of States would comprehend that it was their best policy to promote all possible improvement among the people—that it would be given them to understand that the highest glory of those at the head of a community would consist in the advancement of that community in whatever consisted the most valuable superiority of one man over another —that they would one day esteem it a far higher honour to lead intelligent minds than to rule by brute force—that it would be better for them to have a people who could understand their system and their measures, than one bent in stupid submission, even if their ignorance should suffice to continue them in that submission—that it was better to have one strong in reason, than in an ever-fermenting ignorance, and always believing the Government to be wrong—and that the time would come when it would not be a philanthropic speculation alone which pointed out how much difference there must be between the enormous expense of repressing crime, and what might be effected with half the expenditure in preventing it. That passage of Foster's was written a quarter of a century ago; but the advice was as sound now as it was then: and, although a new light seemed to have come into the minds of some of his friends, he must admit that it had not yet dawned on his mind—his intellect was too opaque to let in the light of the *Mercury* of Leeds. Admitting, however, that education came properly within the province of the Government, he must, at the same time, state that on two grounds he should be jealous of their exercise of that power. In the first place, he would have it so guarded as not to endanger the civil liberty of the country. He could very well see how a Government having the education of the country in their grasp might acquire too much power over the minds of the people. He would wish to see preserved that national independence of the English character which, if it sometimes gave the Government inconvenience, at the same time produced great advantage to Britain. If the gales from Exeter-hall or Crosby-hall sometimes blew too strong, yet they might also sometimes purify the political atmosphere, and brace the national mind. The second point was, that he thought no sectarian partiality should be allowed by the Government. He thought it unwise, both in the Government and in the Church, to have retained the catechism. The right hon. Baronet the Home Secretary did not seem quite to understand this part of the subject when he supposed that because the catechism was only required to be read in Church schools, therefore no harm could possibly be done to Dissenters. He would ask the noble Lord at the head of the Government, did he himself believe the Church catechism? Well, suppose for the sake of argument, that he did not. What did he call on the House to do by these Minutes? Why, that, in a great number of the schools in the country the children should be taught what he did not himself believe. If the Church chose to use the catechism in the Church schools, let it do so; but leave it out of the Minutes. The sooner it was so done, the sooner would the scruples of the moderate Dissenters be satisfied, without the Church being at all injured. He could not but regard it as an infringement of the rights of conscience to order that to be taught which a great portion of the people believed to be error. He thought the Dissenters had a right to be represented in the Committee of Council on Education. Was it right that that Committee should be composed entirely of Churchmen, and that Dissenters should not be represented there, in order that they might see that the funds were applied with perfect impartiality? As to the details of the plan, he was astonished at the proposal to pension the schoolmasters of England merely by a Minute of the Privy Council, when it was considered that the money for that purpose must be voted annually by that House. Nothing, in his opinion, could be more unbusiness-like than for the Committee of Council to offer pensions, when they had no authority from that House for the voting of the money. Besides, he thought those pensions altogether unnecessary. He also objected to that part of the Minutes which proposed an assistant schoolmaster for every twenty-five children. Such a proposal was altogether unnecessary, and, therefore, there would be much uncalled-for expense on this head. This led him to a remark made by the right hon. Gentleman the Member for Edinburgh, who repeated what had been said in a pamphlet published under authority, that if they expended 1,700,000*l.*, they would draw out voluntary efforts to a corresponding degree. What authority, he asked, had they for saying that such a sum would be secured in future? He knew that singular changes of views were taken upon this question—that the Minutes were chameleon-like, ever changing; but he was unable to see on what authority they could hold out that this 1,700,000*l.* would be granted by that House. He must say that he should prefer to those Minutes a regular Act of Parliament, and a proper system of national education. He would entreat the Government and the House, therefore, only to make the present scheme an experiment. Let them try how far they could go with success; and, if they found that they could go on with satisfaction to the whole of the country, then let them persevere. For his part, he would endeavour to throw oil upon the waters. All parties had, on this question, but one common object—the diminution of that ignorance which they deplored. But he feared that if this was a new question, which would be troublesome, there was an old question coming up which would be more troublesome still. The Government ought to have impressed upon their minds that the root of all this difficulty was that which had been stated by the hon. Member for Durham, viz., the connexion of Church and State; and the effect which this might have upon the question, depended much upon the course taken by the Government of the day. He would give the advice to be exceedingly moderate, and the time might come when Churchmen and Dissenters would cordially meet on the same platform, and in the same company, and join together in the same sphere of usefulness. He did enter with the greatest pleasure into the sentiment of the right hon. Gentleman the Member for Edinburgh, that our hearts ought not to be limited to the narrow bounds of Church or Dissent; and that our hearts ought to embrace the welfare of the whole community. He hoped that this spirit would yet prevail, and that men of all parties would cordially unite in endeavouring to effect the regeneration of their common country.

The debate adjourned till Thursday.

House adjourned at Twelve o'clock.

HOUSE OF COMMONS,

Wednesday, April 21, 1847.

Minutes.] Public Bills. *Reported.*—Factories.

Petitions Presented. By Mr. P. Howard, from Maryport, in favour of the Roman Catholic Relief Bill.—By Mr. Clive and other Hon. Members, from several places, against the proposed Plan of Education.—By Mr. Broadley and other Hon. Members, from several places, in favour of the proposed Plan of Education.—By Mr. Fielden and Mr. Wakley, from several places, for the Ten Hours Factories Bill.—By Mr. Beckett and Mr. Escott, from several places, against the Factories Bill.—By Sir G. Clerk and other Hon. Members, from several places, against the Registering of Births, &c. (Scotland) Bill; and the Marriage (Scotland) Bill.—By Mr. R. Scott, from Guardians of the Stourbridge Union, for Alteration of the Law of Settlement.

HOSIERY MANUFACTURE BILL.

On the Order of the Day for the Second Reading of the Hosiery Manufacture Bill,

Mr. HUME said, he was desirous to know whether it was the intention of the hon. Baronet who had charge of it to proceed with the second reading; and, also, whether the Government had taken into consideration any of the representations which had been made to them, by petition or otherwise, in reference to this measure?

Mr. MILNER GIBSON replied, that he believed it was not the intention of the hon. Baronet the Member for South Leicestershire to proceed with the Bill that day. He should state, however, that the measure was one from which the Government would feel it to be their duty to withhold their sanction.

Sir HENRY HALFORD wished to have it understood, that if he gave way to the Factories Bill on the present occasion, it was not from any conviction on his part that the Bill he had the honour to introduce was of inferior importance to the operative classes. He would not surrender one jot of the claim which he had made on behalf of the most oppressed class of Her Majesty's subjects. For the present, however, he would consent to the postponement of the Bill until that day fortnight.

Mr. ESCOTT wished to know distinctly whether it was the intention of the hon. Baronet to proceed with the debate, and positively to go to a division on the Bill that day fortnight? Day after day Members came down to vote on Bills of that description, but a postponement usually took place. The Board of Trade had now announced their intention of opposing the present Bill, and it was most likely it would be defeated; but it was desirable to know whether the hon. Baronet was resolved on proceeding with the measure and going to a division in any event?

Sir HENRY HALFORD replied, that it was most assuredly his determination to bring the Bill forward, to make the necessary statement in connexion with it, and to take the sense of the House upon it on the day named.

Mr. FERRAND inquired whether the right hon. Gentleman the Vice-President of the Board of Trade was aware that the condition of the hosiery operatives had upon a previous occasion been brought under the consideration of the late Government, and that the case which they had submitted was of so harsh, startling, and oppressive a character, that the Government sent down a Commissioner to inquire into the truth of the allegations? That Commissioner (Mr. Muggeridge) took great pains in collecting evidence, and hearing the statements of those poor people, as to the robbery and plunder which had been committed upon them by their employers; and his report had the effect of inducing the Government to support the former Bill which had been introduced. That Bill did not, he believed, apply a sufficient remedy; and, therefore, the poor people again applied to the House for protection. It was really a most cruel case, that whenever the poor operatives engaged in manufactures came before the House and appealed for protection against injustice and injury, that uniformly hon. Members were found to step forward and throw impediments in the way. He was prepared to give his zealous support to the Bill of the hon. Baronet; and he was convinced that such a case would be made out in favour of the operatives that the Government would feel themselves called upon to enact some measures calculated to afford them protection.

Mr. W. J. DENISON was anxious to know whether the Bill would come on for discussion that day fortnight in the shape in which it now stood, or whether alterations would be introduced in the interim?

Sir HENRY HALFORD said, that in its main provisions the Bill should remain unaltered, though it was possible it might undergo some change in matters of detail.

Sir JOHN EASTHOPE observed, that knowing the inconvenience attendant on the prolongation of the present discussion, it was not his intention to protract it by trespassing at any length on the attention of the House; but as the question was one in respect of which considerable interest was felt on both sides of the House, he trusted they would bear with him for a moment while he briefly stated his own opinion in reference to it. He was obliged to the hon. Baronet the Member for South Leicestershire for having postponed his Bill, as it was desirable that ample opportunity should be afforded for considering the principle and details of such a measure; and he was aware that it was the intention of many Members to look carefully into the provisions of the Bill, as well as into the case which would be brought forward to meet it. He cordially concurred in the belief that under the present system of things there did exist certain great evils, in consequence of which the poor people whom he had the honour to represent endured many grievances: this he admitted to the fullest extent; but he was quite as confidently persuaded that the Bill would produce other evils, greater than those which it was designed to cure. Of this he felt quite as confident as of the existence of the evils to which he had alluded. In familiar phrase, he feared that the operatives whom the measure was designed to benefit, would find the remedy worse than the disease. He was glad that the hon. Baronet had put off the Bill for the present; but he hoped that when brought under the consideration of the House, it would receive their best attention. It could not be questioned that great sufferings were endured by the class of operatives who would be affected by the Bill, and whose case undoubtedly demanded and deserved the most attentive consideration of that House.

Second reading postponed to May 5.

FACTORIES BILL.

The Factories Bill was reported.

On the Question that the Amendments be agreed to,

Mr. TRELAWNY said, he felt it to be his duty to afford every possible opposition that the forms of the House would allow to the further progress of the Bill. He believed the measure, if carried into law, would have a most injurious effect upon the trade and commerce of the country, and ultimately oppress the very class it was designed to serve and protect. The measure was of such an arbitrary character, that, no matter what the people might suffer from the high prices of food—no matter what the circumstances of the times might be—no matter what individual requirements might exist—the strong and powerful man would be compelled to fold his arms and give over his labour. It was, in his opinion, a perfect mockery to introduce such a measure, unless they could accompany it by a measure regulating wages and the price of food. If they could do this, there would be something feasible in their theory; but if not, it would prove more dangerous than beneficial. It was said, that the Bill only applied to young children under fourteen years of age; but did it not also interfere with adult labour? Did it not interfere with the labour of adult women? The noble Lord at the head of the Government had said, that the House had a direct interest in the sinews of the population; but would not the effect of this measure be to deprive the country of the labour of her able-bodied operatives? Good labourers of sound constitutions, and with their strength unimpaired, would of course quit the country, and bring to a foreign market that skill and that strength which injudicious restrictions prevented them from employing at home. They were told that the labourers were prepared to risk it; but if the labourers were better informed than the Legislature upon such a point, they were surely better entitled to have seats in that House. The best way to afford the operatives true protection, would be to shield them from the evils of foreign competition. Believing that the measure would, so far from proving a benefit, greatly injure the operatives themselves, he was prepared to oppose its further progress.

Mr. HUME moved, as an Amendment, that the report be taken into further consideration that day six months. Every day's delay in the passing of that fatal Bill brought to light new and more cogent evidences of the great evils it would inflict on the country. The encroachments which were hourly being made on our manufactures by America and other foreign countries were calculated to excite well-grounded alarm, and rendered it nothing less than insanity to proceed with any such measure as the present. If the manufacture of cotton in this country were to be reduced by one-tenth, a reduction of twenty per cent on wages would follow; and it would be impossible to overstate the distress and misery that would ensue amongst the operative classes. It was the duty of every hon. Member who had the interests of his country at heart, and especially the interests of the industrial classes, to oppose the Bill to the last. He was sorry that it had not been submitted to the consideration of a Committee up stairs; for if it had, evidence the most incontrovertible would have been adduced to show how utterly destructive its operation would, in all probability, prove to be. He could not acquit the Government of blame in this matter; on the contrary, he thought they were highly censurable in not having from the first set their faces against the principle of any interference with the industry and capital of the country. By interfering with the labour of the adult population (as they would inevitably do by this Bill), they were bringing about an extent of mischief which no man breathing could predict.

Mr. BROWN seconded the Amendment, observing that the manufacturing interests had already sufficient to contend against, and to throw further difficulties in their way would be highly injudicious.

Mr. MARK PHILIPS felt it to be his duty again to raise his voice against this measure, which he believed to be fraught with incalculable mischief. It was impossible to legislate for wages; and yet to restrict labour, without being able to regulate the standard of remuneration, were to inflict the deepest possible injury on the labourer. He hoped, most sincerely, that his dismal predictions of the operation of this measure would not be realized; but if they were, and that misery and destitution resulted from it, it would be at least consolatory for him to reflect that he had done his duty by protesting against it from the first, and warning the Government against the fatal experiment.

Mr. P. HOWARD would give to the hon. Member for Oldham his steady support; for he could not conceive that the commercial greatness of this country depended upon overtaxing the exertion of young persons; and he believed a general restriction of the hours of their labour to be better than allowing them to work half time at one period, and to be overworked at another.

Mr. SHARMAN CRAWFORD declared it to be his opinion, that if ever an unfair and vexatious opposition had been offered to any measure in its passage through that House, it was the opposition offered to this Bill. In every stage an unworthy attempt had been made to defeat it by manœuvre, against the loudly-expressed sense of the House. He had to complain that no notice had been given, on the Votes, of the Motion now brought forward by the hon. Member for Montrose. It looked very like an attempt to take the Friends of the measure by surprise, and defeat the Bill.

Mr. ESCOTT denied that the opposition to the Bill deserved to be characterized as it had been by the hon. Member who had just sat down. At the present moment, there were circumstances which rendered the opposition to this Bill very different from what it was before. When this Bill was formerly before the House, it obtained the support of the noble Lord at the head of the Government, and of the right hon. Gentleman the Secretary of State for the Home Department, on one condition, and that was, that in Committee they should diminish the dangers and risk that were acknowledged to be involved in the principles of this Bill, by substituting an Eleven Hour for a Ten Hour Bill. But when the House went into Committee, and when the clause providing for the eleven hours duration of labour was proposed, the Committee divided upon that clause, and the noble Lord found himself in a minority upon it. He now hoped that the noble

Lord, considering the great interests that were at stake, and the risks that would be incurred by the manufacturing interests of this country, would see that his duty to the commercial and other interests of the country was to reject this measure. With regard to a petition which had been adopted in favour of this measure, and which, it was alleged, was signed by manufacturers, he wished to observe, that in the first page of that petition he had counted the names of five persons calling themselves manufacturers who could not spell the word that designated the profession to which it was said they belonged. In each of those instances to which he referred, the word "manufacturer" was spelled wrongly. It was said that if the Bill passed this House, it would also pass in another place, and that the feeling which had converted the majority that was against this measure into a majority in favour of this measure, would operate as fully in another place as it had operated here. Their feelings might induce those, by at least a majority, who sat in another place, not with a very due regard to their own interests, or the interests of the manufacturers, to pass this Bill if it were sent up to them. He said, "not with a due regard to their interest;" for if he knew anything of the measure, nobody would more seriously rue the destruction of trade and manufacture it would cause, than those who owed their income to the landed property of the country. It would be well if those having large landed possessions, as well as those having small possessions in land, would consider how much of their present incomes and rents depended upon the manufacturing prosperity of the country. He wished they would consider that question, and, in mercy to the working people themselves, who would be discharged from their daily labour, and be obliged to go about begging if this Bill should pass, that they would have further time to consider it, and that the noble Lord would come forward and say that the risk was too great—that the danger was too imminent—that he would not incur the risk, and would reject this measure.

MR. FERRAND recollected, before he had the honour of a seat in that House, to have read speeches which purported to have been made by "Mr. B. Escott;" and he must say those speeches contained very different arguments from those which he had heard from the hon. Gentleman that day; and if the hon. Member for three or four years on the floor of that House, had advocated principles diametrically opposed to those which he had on that day advanced, he must certainly prefer his own judgment to the judgment of the hon. Member. He deeply regretted that any expression should fall from the hon. Member for Rochdale that was calculated to hurt the feelings of any Gentleman present; and he hoped the remaining discussion that was to take place on this Bill would not only exhibit good feeling, but set an example to the employers and employed throughout the country. The operatives were prepared to hold out the olive branch of peace, being convinced that this measure must be judged by its success; and when they had carried the Bill, he trusted that a majority at least of the manufacturers themselves, as well as the working classes, would unite with the best feeling to test its effects. If it should prove to be injurious to the population, and if they sought to be relieved from the law, those who now supported the measure would be prepared not to show any factious opposition, but to coincide with the operatives in any attempt they might make to get its repeal. But they thought it would work for their benefit; and they asked that all irritability of feeling, not only in that House but out of that House, should be laid aside, and that they would carry out this measure with good feeling.

MR. MUNTZ wished to know whether the hon. Member for Winchester meant to throw discredit on the petitions, because some of those who signed them could not spell particular words. If correct orthography were necessary to the hon. Member's notion of respectability, it might not be necessary for him to extend his view very far to discover even some hon. Members who were themselves not always correct in that respect. When he recollected the large numbers by which this Bill had been carried in that House, he could not help thinking that to reject it now would be equivalent to rescinding their vote; and when he considered the obloquy which had attached to the rescinding of a vote by that House on a former occasion on this very question, he could not recommend hon. Members again to take a similar course. He had supported the Bill in all its stages; and he firmly believed that it was not only a debt due to the working classes, but that it also consulted the interests of the masters themselves.

MR. B. ESCOTT, in explanation, said he did not mean to say that persons who could not write their names should not petition the House; but what he said was, that persons who could not spell "manufacturer" should not pretend to be manufacturers.

MR. TANCRED had resisted in his place in the House, on former occasions, many measures of this kind by a silent vote; but he considered the results which would flow from the measure so alarming, that he must accompany his vote on the present occasion by a few observations. This Bill proposed to regulate the labour of young persons and females, and to reduce the hours of labour by compulsory means; but he conceived it was hardly within the functions of the Legislature to interfere with them. He admired the wisdom and truth of the observation made by the right hon. Baronet the Member for Tamworth when he advised the House not to be deceived by names; for when they were dealing with the wages of the operative they were dealing with his capital. He conceived that the measure would be highly prejudicial to the operatives, and also to the employers, and it was his intention to oppose it, thinking that it was hostile to the interests of every person who would be affected by it.

SIR DE L. EVANS said, the only argument that had been used against this Bill was, that it had a tendency to restrict the labour of the poor; but those who took up that position had totally failed in proving it. He considered the arguments of the noble Lord at the head of Her Majesty's Government quite satisfactory, and therefore he felt bound to give the measure his support. He was very much astonished to see the party who were so earnest in denouncing the protectionists for intolerance on the subject of the corn laws, now evincing the same feelings on this question. He thought it absurd to say that the glory and greatness of this country were dependent upon the diminution of the hours of labour of the infants who were engaged in factories.

LORD JOHN RUSSELL said: I did not think there would be any discussion today on this subject, or that it was intended on this day to oppose this stage of the Bill; but a discussion having arisen, of which no person, of course, has any right to complain, I shall make a few observations. The hon. Member for Winchester (Mr. B. Escott) says, with regard to myself, that having taken a certain course in favour of this Bill, and having stated that in Committee I would vote for eleven hours instead of ten hours, I am now at liberty to oppose the Bill in its present, or at any subsequent stage. That statement is quite correct. I admit that, in opposition to this Bill in the present stage, I might say, that the maintenance of the ten hours restriction in the Bill gave a character to the Bill which made it so dangerous that I could not any longer assist in carrying it. I will admit that I think this measure is a less safe measure than it would be if the clause which restricts the time to ten hours had been struck out, and the Bill had become a Bill for eleven hours instead of for ten hours. I think that with regard to eleven hours you have a great deal of experience in its favour—in a great many mills in Yorkshire—and proof which is conclusive that it does not interfere with the carrying on of trade, and does not prevent that amount of profit being received, which would induce a manufacturer to continue in this branch of business. But you have no such proof with regard to the ten hours; and I do not feel the same confidence with regard to a Bill containing a ten hours clause, as I should feel if that clause were struck out. I therefore lament that the House has decided that that clause should remain part of the Bill; but I cannot say that that determination of the House, expressed by a large majority, is sufficient to induce me to withhold my vote in favour of this Bill. I certainly consider if it were a Bill for eleven hours, that while it would produce great satisfaction amongst the working classes, the manufacturers would possibly have received it, and probably we should not have heard more on the subject; but I cannot be sure that with respect to a Bill containing the ten hours clause, the working of it will be satisfactory, and that the question will not be revised in a future Session. The great argument against this Bill is, that while it professes to restrict—and in fact does restrict — the labour of young persons and women, it will indirectly restrain the labour of adult males, and diminish their labour and their wages. I do not think it can be admitted that, because it may have that indirect effect, the House is not competent to entertain the measure. The House has entertained the question with regard to children and women working in collieries. A Bill was introduced by Lord Ashley and passed, with regard to collieries, and preventing adult women working in collieries; and that measure has had a beneficial effect. Therefore I do not think there is any justice in the argument that the House is not competent to pass this Bill. I should expect, on a question which will no doubt affect the working classes in our manufacturing towns, if it were likely to produce an effect so injurious to them, that if not a majority, at least a considerable number of those working classes would have addressed this House, and asked the House not to pass this Bill which would indirectly reduce their wages, and act as an income tax on the amount of their wages; but I have not heard there was such a petition, nor do I find that any considerable number of the working classes have petitioned the House, and protested against the passing of this measure. Therefore, although I vote with less confidence than I would have done if it were a Bill for eleven hours, I do not think there is sufficient reason for withholding my vote in favour of the Bill.

Mr. ROEBUCK observed, that the noble Lord at the head of the Government came down to the House to support this measure; and though he did not choose to act as Prime Minister, yet at that moment he was using all the influence of that office. The noble Lord was about to deal with what he acknowledged to be one of the most important interests of the country; and how was he about to act, and on whose judgment was he about to act? He was about to act, having no faith in the effect of the Bill about to pass, and having great doubts of it, it being so fashioned that he himself determined to alter it; and being beaten by a majority of the House, he says he has doubts of it; his anticipations are not so sanguine as before as to the good to be expected frem the Bill; he has less confidence in its safe working—that was the expression of the Prime Minister—than he had; but, nevertheless, giving no sufficient reason for it, he said he would vote for the Bill. And what reason did he give? He said the working men of the country had not petitioned against it; but the noble Lord must know, that the feeling of the working classes, as the hon. Member for Knaresborough had said, was, that there would be no diminution of wages. They thought there would be no diminution of wages, and the feeling of the noble Lord as to their support was based upon a mistake. They supported the measure because they did not think it would be the income tax upon them that the noble Lord supposed; at least he (Mr. Roebuck) understood the noble Lord to say there would be a diminution of wages. How then could he have faith in the opinions of men from whom he so vitally differed? The workmen would hereafter say they were mistaken, and would be the first persons who would feel the mischief of this Bill. The noble Lord was making an experiment of a gigantic description, with much faltering and wavering, and he would not say unstatesmanlike conduct on the part of the noble Lord. He was faltering and hesitating, and yet giving his vote in favour of the experiment; the aider, abettor, and prime mover in this experiment on the happiness and welfare of millions of their countrymen, was the noble Lord at the head of the Government.

The House divided on the question, that the words proposed to be left out stand part of the question:—Ayes 104; Noes 46: Majority 58.

List of the Ayes.

Acland, Sir T. D.
Adderley, C. B.
Ainsworth P.
Archdall, Capt. M.
Arundel and Surrey, Earl of
Bankes, G.
Bentinck, Lord G.
Bentinck, Lord H.
Beresford, Major
Bernal, R.
Blackburne, J. I.
Blackstone, W. S.
Boldero, H. G.
Bramston, T. W.
Broadley, H.
Brotherton, J.
Browne, hon. W.
Buck, L. W.
Buller, C.
Bunbury, W. M.
Cabbell, B. B.
Chichester, Lord J. L.
Christie, W. D.
Christopher, R. A.
Colville, C. R.
Cowper, hon. W. F.
Crawford, W. S.
Davies, D. A. S.
Denison, E. B.
Douglas, Sir H.
Duncombe, T.
Duncombe, hon. A.
Dundas, Adm.
Dundas, Sir D.
Du Pre, C. G.
Ebrington, Visct.
Entwisle, W.
Evans, Sir De L.
Ewart, W.
Finch, G.
Floyer, J.
Fuller, A. E.
Gaskell, J. M.
Gladstone, Capt.
Godson, R.
Gooch, E. S.
Gore, W. O.
Granger, T. C.
Grey, rt. hon. Sir G.
Grimsditch, T.
Halford, Sir H.
Hatton, Capt. V.
Henley, J. W.
Hervey, Lord A.
Hodgson, F.
Howard, P. H.
Hudson, G.
Hurst, R. H.
Hussey, T.
Inglis, Sir R. H.
Irton, S.
Jervis, Sir J.
Kerrison, Sir E.
Lambton, H.
Lowther, hon. Col.
Macaulay, rt. hn. T. B.
Mainwaring, T.
Manners, Lord J.
Milnes, R. M.
Monahan, J. H.
Mundy, E. M.
Muntz, G. F.
Newdegate, C. N.
O'Brien, A. S.
Ossulston, Lord
Owen, Sir J.
Packe, C. W.
Paget, Col.
Pakington, Sir J.
Palmer, R.
Perfect, R.
Plumptre, J. P.
Plumridge, Capt.
Rolleston, Col.
Round, J.
Russell, Lord J.
Rutherfurd, rt. hon. A.
Sandon, Visct.
Seymer, H. K.

Shirley, E. J.
Somerville, Sir W. M.
Spooner, R.
Strickland, Sir G.
Tollemache, J.
Trollope, Sir J.
Troubridge, Sir E. T.
Tufnell, H.
Turner, E.
Wakley, T.
Walker, R.
Wawn, J. T.
Williams, W.
Wodehouse, E.
Yorke, H. R.

TELLERS.

Fielden, J.
Ferrand, W. B.

List of the NOES.

Aldam, W.
Baine, W.
Baring, rt. hon F. T.
Bell, M.
Bright, J.
Brown, W.
Busfeild, W.
Colebrooke, Sir T. E.
Dalrymple, Capt.
Dawson, hon. T. V.
Dennistoun, J.
Dickinson, F. H.
Duncan, Visct.
Duncan, G.
Egerton, W. T.
Escott, B.
Evans, W.
Feilden, Sir W.
Fitzroy, hon. H.
Gibson, rt. hon. T. M.
Gisborne, T.
Greene, T.
Hawes, B.
Hay, Sir A. L.
Hutt, W.
Langston, J. H.
Leader, J. T.
Legh, G. C.
Loch, J.
Maitland, T.
Marshall, W.
Marsland, H.
Peel, rt. hon. Sir R.
Pendarves, E. W. W.
Philips, M.
Protheroe, E. D.
Roebuck, J. A.
Scott, R.
Sotheron, T. H. S.
Stanton, W. H.
Strutt, rt. hon. E.
Tancred, H. W.
Thornely, T.
Ward, H. G.
Wood, Col. T.
Young, J.

TELLERS.

Hume, J.
Trelawny, J. S.

Amendments agreed to.

MR. BROWN proposed the following clause:—

> "And be it Enacted, That in all cases where, by reason of the restrictions by this Act respectively imposed as regards the working of persons under the age of eighteen years, and of females above the age of eighteen years, the lessee or occupier, lessees or occupiers of any such mill or factory as is in this Act referred to, or any part thereof, or any rooms therein, shall not be entitled to, or be by Law able to enjoy, the full and beneficial use of the steam or water power contracted to be supplied by the lessor or landlord for the full length of time for which the lessee or occupier, lessees or occupiers, would, but for this Act, have been entitled to, a proportionate abatement of the rent payable by such lessee or occupier, lessees or occupiers, shall be made and allowed by the lessor or landlord, such proportionate abatement to be fixed and settled by any two of Her Majesty's Justices of the Peace, who shall have full power to hear the parties and their respective witnesses, and to summon them before them the said Justices for that purpose, and finally to adjudicate and determine in the premises, if the parties differ about the same."

Clause brought up and read a first time.

On the question that it be read a second time,

SIR GEORGE GREY said, he saw no objection to the principle of the clause; but, from the manner in which it was drawn, some doubts might arise as to the interpretation. It would be better to let it stand over.

MR. TATTON EGERTON stated, that he never could give his consent to the introduction of such a clause into the Bill, as it would allow the millowners sitting as magistrates in the manufacturing districts to interpret the Act and determine as to any abatement of rent which should take place in consequence of the operation of the Act. If the clause was pressed, he should take the sense of the House on it.

MR. BROTHERTON thought, that the occupiers of mills who would be affected by this Bill, ought to have a provision in the Bill entitling them to an equitable abatement for the loss which they might thereby sustain. Unless some such clause as this were introduced, they would be compelled under their present leases to pay for the supply of coals, &c., for twelve hours as usual, whilst the Bill permitted them to work their mills no more than ten hours. He really thought that there was so much justice in the clause, that no fair opposition could be offered to it.

MR. FERRAND had never heard of such a discussion as this with respect to the lessees of farms when the corn laws were before the House last Session. The landlords and tenants were left to make their own arrangements; and he thought that they should adopt a similar course of non-interference now. He felt confident that if the clause were incorporated in the Bill, it would give rise to endless disputes between the manufacturers and the owners of the mills.

MR. ROEBUCK said, they should clearly understand what was now going forward. Hitherto there had been a cheap cry—a race for humanity. They had said, "You have passed the Corn Law Abolition Bill, and we, the landlords, intend to take our revenge upon you, the manufacturers." He had himself frequently heard expressions of that sort fall from the supporters of this measure in that House. That was very much the way in which the question had been brought forward before the House. The landlords were attempting, if possible, by this measure, to make the manufacturers share in the mischiefs which they said would be entailed upon them by the repeal of the corn laws. They were seeking, and in fact they acknowledged they were seeking, to diminish as much as possible the profits of the mill-occupiers. The supporters of this measure had acknowledged that such was their intention. [MR. FERRAND: No, no!] The hon. Gentleman had said that he did not believe that the wages of the factory labourer would be diminished by the Bill; but the product must, because henceforth they would not be allowed to work so long. They would not be able to bring so much into the market, and, therefore, one of two things must follow, either the price of the articles must rise, whereby the community would be taxed in proportion, or, if the prices fell, the mill-occupier must be taxed. ["No, no!"] But it must be so. Either the consumer or the mill-occupier must be injured by this Bill. And, therefore, he contended that in justice they were bound to relieve the lessees of mills from the losses which this *ex-post facto* law would entail upon them; and they could do so by assenting to the proposed clause. The manufacturers had, under the existing system, taken leases of mighty and expensive fabrics for the purposes of their trade, and, unless the supporters of the measure consented to a proposition which would have the effect of relieving them to a great degree from the injury which the Bill would inflict upon them, the country would see the value of their vaunted humanity.

MR. NEWDEGATE merely rose to ask the hon. and learned Member for Bath (Mr. Roebuck) upon what authority he had stated that the landlords had determined on pushing forwards this measure by way of revenge for the support which the manufacturers had given to the Corn Bill of last Session? It was very easy for the hon. and learned Gentleman, who understood such small things, to make so facetious and apt an assertion as that; but he thought that it was a most unfair accusation against the supporters of this Bill; it was so, at least, as regarded himself, because he had supported the Ten Hours Bill long before the corn laws were repealed, and so had many other hon. Members who had voted for it now. He could see no reason why they should submit to sit down under such vague imputations, made up from some hearsay rumour that the hon. Gentleman's acuteness might have caught somewhere; but the hon. Gentleman had not told them where and when. With reference to the clause before the House, he must say that he thought it was but just that the mill-occupiers should in some degree be released from the payments which they had contracted for the occupation of their mills, &c., and he should therefore be inclined to give the clause his support. He should be glad to hear the hon. and learned Member for Bath state on what authority he had made his imputations against the supporters of the Bill.

MR. ROEBUCK: As the hon. Gentleman has asked me to give my authority for the statements which I have made, Sir, I will at once give it—the noble Lord the Member for Newark (Lord J. Manners).

MR. AGLIONBY was opposed to the clause; but he agreed with the hon. and learned Member for Bath that they should know what they were doing. He submitted that the question of the arrangements between landlords and their tenants in consequence of the repeal of the corn laws had nothing to do with this Bill. Let them not misunderstand the real question for their consideration. The operatives had nothing whatever to do with the clause proposed. Operatives did not build, demise, or occupy mills; although he rejoiced to think that they were now about to obtain a measure of justice to which they had long been entitled. His feelings on this question were totally irrespective of the peculiar interests of millowners and manufacturers; but he could assure the House, and particularly the right hon. Baronet at the head of the Home Department, that as a professional man he really believed that the clause could never be properly carried out. He regretted to say that in consequence of his necessary attendance upon the Committees of the House, he had not had any opportunity of consulting with the parties whom the clause would affect. If he had had, he believed that he should have been able to show them that it would prove most prejudicial to them in its operation. The clause proposed to give jurisdiction to magittrates in such cases; and, if passed, it would give rise to very great confusion. There was nothing in the Bill, as it at present stood, to prevent any mill-occupier from employing one set of hands six hours, and another set six hours more, so that he could enjoy the whole of the privileges of his lease if he wished; and the clause would thereby be rendered unnecessary. He was glad to see the learned Attorney General in his place, and hoped that he might state his opinion upon this point. Supposing a millowner applied to a magistrate, under this clause, for a deduction of his rent, in consequence of his being compelled henceforth to employ the same people only ten hours in the day, the answer of the magistrate must be, "There is nothing to prevent you from working twelve hours if you choose, by employing different hands." Admitting that he might be mistaken in his view of the case, he could not help saying that the proposition of the hon. Member for Lancashire (Mr. Brown) whilst it was impossible for it to confer any very great advantages upon any one, must necessarily lead to endless disputes. He did not think it was desirable to impose upon those who performed the functions of magistrates the troublesome and intricate labours which this clause would devolve upon them. It would be almost impossible for manufacturers to prove the exact amount of consequential damage which this Bill would inflict on them. Minute calculations would have to be continually made of the fluctuating prices of cotton, &c., and the magistrate would not be able to fix the proper amount of loss. The clause would create endless heartburnings between lessors and lessees of mills, which could end in no good. Now, with respect to this clause, he might say (although it was only a *pro tanto* argument) that since the second reading of this Bill, when the Bill might almost be considered to have passed into a law, a gentleman who had rented steam-power and premises, had subsequently taken a new lease of the same power and premises upon precisely the same terms.

Sir G. GREY thought that the object of the clause had been somewhat misunderstood by the hon. Member for Cockermouth. He did not think that, under this clause, it would be necessary to show the amount of consequential damage. It would operate, in his opinion, in the following manner: There were several instances in which parties contracted for mill-power, for twelve hours a day, for a given time, and under such contracts the quantity of coal consumed in producing the steam was taken into account. Now, of course, there must be a material difference between the quantity of coals required to produce steam for such parties twelve hours, and that consumed in ten. It was but right, then, that some reduction should be made for the reduction in the consumption of coals, &c. But as it appeared that legal difficulties stood in the way of the proper operation of the clause, he would suggest to his hon. Friend (Mr. Brown) to withdraw the clause.

Mr. BROWN, after the explanation of his hon. Friend, would at once consent to withdraw the clause.

Mr. M. PHILIPS wished to say a few words on this question, whether his hon. Friend withdrew the clause or not. He thought that the hon. Member for Cockermouth (Mr. Aglionby) had proved how little he knew about the matter, which was entirely a practical question between the owners and occupiers of mills, whom they were about to place in an entirely new position. He believed that the manufacturers had asked for the insertion of this clause, and it was only fair to suppose that they knew something about their own affairs; and he must confess that he was inclined to vote that their petitions should be granted. Now the hon. Gentleman had said, that the difficulties under which the manufacturers laboured on this point, could be got over by a system of relays. [Mr. Aglionby: I never said so.] He begged the hon. Gentleman's pardon; he so understood him. But, however that might be, he should regret the introduction of such a system. He thought it was better that they should depend upon the labour of one individual set of hands; he did not like that multiplication of hands which the relay system must produce, because he believed that it would be prejudicial to the public interests as well as of those of the manufacturers and the operatives. He objected to the expression of the hon. Member for Knaresborough (Mr. Ferrand), respecting the position in which the landlords and their tenants were placed with respect to each other by the repeal of the Corn Laws, because the present question bore no analogy to theirs. It was not a question between the operatives and the manufacturers, but solely between the manufacturers and those from whom they rented their mills. He hoped that they would not pass the Bill without some such clause as that which had been proposed. If they did, they would expose the manufacturers to great injustice. Notwithstanding what had been said by the hon. Member for Cockermouth as to the difficulties of disposing of the questions which this clause would bring before magistrates, he must say that he did not think that there would arise any difficulties at all, because every practical man who might have occasion to go to the magistrates, would be able to state the price of cotton, &c., and the amount of injury which he had sustained by the operation of the Bill. And it did not follow that because they passed such a clause, all the manufacturers affected by the Bill would apply to the magistrates. The great probability was, that the differences between the manufacturers and those of whom they rented their mills, would be settled without any application at all to a magisterial court. The clause would merely confer the power of deciding upon the magistrates. He hoped that his hon. Friend would not withdraw his clause.

Sir R. PEEL hoped that his hon. Friend would withdraw his clause. Although he had given his decided opposition to the Bill to restrict the hours of labour, he should feel himself compelled to vote against the introduction of such a very novel description of legislation as the clause. It included a principle which he did not believe had ever been acted upon in any similar case. Now he apprehended that there might be some particular cases in which the rule might be that the lessee contracted with the lessor for the supply of water, coals, &c., for ten or twelve hours. If there were such cases, they ought to be specified, and particular clauses applied to them. He apprehended that generally the lessee took his lease subject to any regulations which might be made by Parliament affecting his interests; and in this particular instance he did not think that the lessee could claim any exemption from the contract into which he had entered. This was not the first time that they had legislated with respect to the capital invested in manufactures; they had, on a former occasion, passed a law to restrict the hours of labour of children and adult women; but no one asked for a clause to be introduced which should enact that magistrates should be empowered to decide upon and award the amount of consequential loss sustained by such law to any applicant so injured. Why, what an enormous difficulty there would be in the attempt to determine the amount of loss which manufacturers might suffer in consequence of the passing of this Bill. He could not conceive how it was possible to determine the amount of injury which they might thereby sustain; and, further, the clause would be an entirely novel sort of legislation. He thought that the contracts between manufacturers and their landlords were always entered into with the understanding that they should be subject to such provisions and alterations as it might be thought necessary by the Legislature to adopt. If a clause reserving a power to the Legislature to make any regulations or alterations which might be deemed desirable, without providing that the lessees should be compensated for any injuries which they might sustain in consequence—if such a clause as this were sanctioned, those who had been suffering from the previous regulations as to factory labour ought to be admitted to come in and prove and receive the amount of injuries which they had sustained from such legislation. He really thought that they had much better leave such matters to be adjusted between the parties concerned; for it appeared to him that the clause, if adopted, would give rise to endless difficulties—and that the idle man, whose business might have failed from other causes, would attempt to obtain exemption from his just pecuniary engagements. If every one were to be entitled to make deductions for losses alleged to have been sustained under this Bill, he believed that it would lead to an amount of heartburnings the extent of which could not be anticipated.

Lord J. MANNERS: The hon. Member for Bath had said that he (Lord J. Manners) had said that this Bill had been supported by himself and his hon. Friends behind him by way of retaliation for the support which the manufacturers had given to the Corn Bill of last Session. He could only say, in answer to that assertion, that he had never said so. He had always supported this Bill; and he was quite certain that his hon. Friends behind him, who had supported it, had done so simply from an earnest conviction of its only being an act of justice to the factory operatives.

Mr. ROEBUCK had never intended to say that the noble Lord had furnished the information to him. What he did say was, that he had heard it stated that this Bill was attempted to be passed by the protection party as a retaliation for the support which the manufacturers had given to the movement for the repeal of the corn laws; and then he was asked by the hon. Gentleman opposite (Mr. Newdegate) on what authority he had made that statement; and his answer was, that he need not go farther than the noble Lord opposite (Lord J. Manners). Now, he could point to the speech in which the noble Lord very clearly made that statement; which was subsequently referred to by the right hon. Baronet opposite (Sir J. Graham), and the right hon. Baronet the Secretary of State for the Home Department.

Clause withdrawn.

Mr. LEADER then proposed the following clause:—

> "And be it Enacted, That if any accident happen to the steam-engine, water-wheel, or mill-gearing in any factory, whereby any part of the manufacturing machinery shall be stopped during the usual hours of work allowed by this Act, it shall be lawful to recover the time so lost in the following manner, that is to say—Any child or young person, or any woman, may be employed one hour in each day more than the time to which the ordinary daily labour of children and young persons and women respectively is restricted by Law, until such lost time be recovered."

He thought that it was only fair that they should allow the manufacturers to make up for the loss of two or three hours which they might experience during the usual hours of working under this Bill; he therefore trusted that the House would agree to some relaxation for that purpose. By the law as it at present stood, there could be no making up for the loss of time through accidents to the machinery; and this was a loss to the workmen as well as to the manufacturer, as their wages were not paid for the time the mill was not working. He did not apprehend that there could be any serious opposition to a clause of such a reasonable nature. What he proposed was, that if three hours were lost in one day, it might be made up by an additional hour's work for three days.

Clause read a first time.

On the question that it be read a second time,

Mr. HINDLEY must say that he thought the clause would prove to be an exceedingly dangerous one if adopted. In fact, he believed that it would almost have the effect of preventing the honest carrying out of the Bill. He was sure that every honourable master would feel anxious to have the clause rejected. It would only give opportunities for fraud upon the part of the manufacturers, for they could then say when the inspector went round the mills and found them working beyond the legal time, "Oh! we have had a breakdown in the machinery, and are working up the lost time." If it were adopted, every honourable master would be injured by it.

Mr. FERRAND said, that when the manufacturers wished to work short time, they had only to throw their mill out of gear, and by this clause they would be enabled to make their people work extra hours for two or three months to make it up to them.

Mr. BRIGHT observed that the hon. Member for Ashton (Mr. Hindley) knew much better the operation of working mills over-time than he (Mr. Bright) did, for the hon. Gentleman was much more accustomed to work those long hours than he had ever been. At present if a mill was stopped for one hour, no allowance was made, but for that purpose it must be stopped for three hours; it was, therefore, obviously for the interest of the millowners, if they stopped at all, to stop for three hours, which they could make up by taking an additional hour for three days. If there was a fraud, it could just as well be practised under the present Act as under the clause proposed by the hon. Member for Westminster. The effect of the clause would not be of the slightest degree of importance to the manufacturers, but it was of great consequence to the operatives. For himself personally he did not care one straw about it. His hon. Friend said that the House should adopt the clause, because it was reasonable; his hon. Friend could know but little of legislation in that House if he thought that was a ground which influenced their legislation.

Mr. FIELDEN hoped the House would not consent to the proposal of the hon. Member for Westminster. The opinion of persons of great practical experience, in which he entirely coincided, was adverse to the clause. The working people were quite satisfied with the law as it stood at present on this point, and there would be insuperable difficulties in carrying out the clause, which would give rise to many evasions of the Act.

The ATTORNEY GENERAL was quite certain that when the House considered what was the law on this subject, they would not be inclined to adopt the clause. The hon. Gentleman had referred to the 3rd and 4th William IV., c. 103. Now it was true that in the year 1833 an Act was passed relating to factories, in which the occupiers thereof were empowered to work beyond the legal number of hours, in case of any extraordinary accident, such as a break-down in the machinery, drought, or flood; but the Act of the 7th and 8th Vict., c. 105, was passed, whereby it was provided that the time so lost must have amounted to three hours, so that the law took away the unlimited powers passed in the reign of William IV.; and now the hon. Gentleman came forward with a clause the virtual effect of which would be the re-enactment of the law which they had already condemned. Moreover, it proposed to enable manufacturers to regain any quantity of time lost by accident, no matter how trifling. Now he felt that such a provision would be attended with many abuses, and he therefore thought that it ought not to be adopted.

Mr. LEADER said he should certainly divide the House on this Amendment. He denied that it was intended by this clause to make any alteration in the present law. He knew that at present lost time could be made up, and that this could be done where five or six hours were lost, but not where only two or three were.

The House divided:—Ayes 31; Noes 94: Majority 63.

List of the Ayes.

Antrobus, E.
Baine, W.
Bowring, Dr.
Brown, W.
Denistoun, J.
Duncan, Visct.
Duncan, G.
Escott, B.
Feilden, Sir W.
Forster, M.
Greene, T.
Hanmer, Sir J.
Hay, Sir A. L.
Houldsworth, T.
Hume, J.
Lindsay, Col.
Lockhart, W.
Marshall, W.
Marsland, H.
Milnes, R. M.
Molesworth, Sir W.
Ogle, S. C. H.
Philips, M.
Protheroe, E. R.
Roebuck, J. A.
Strutt, rt. hon. E.
Thornely, T.
Trelawny, J. S.
Walker, R.
Wood, Col. T.
Young, J.

TELLERS.

Leader, J. T.
Bright, J.

List of the Noes.

Ackers, J.
Adderley, C. B.
Aglionby, H. A.
Ainsworth, P.
Archdall, Capt. M.
Baillie, W.
Barrington, Visct.
Bell, J.
Bennett, P.
Bentinck, Lord G.
Bentinck, Lord H.
Beresford, Major
Bernal, R.
Blackburne, J. I.
Brooke, L.
Browne, hon. W.
Buck, L. W.
Buller, C.
Buller, E.
Bunbury, W. M.
Busfeild, W.
Cabbell, B. B.
Carew, W. H. P.
Colville, C R.
Crawford, W. S.
Denison, E. B.
D'Eyncourt, rt. hn. C. T.
Duncombe, hon. A.
Dundas, Adm.
Dundas, Sir D.
Entwisle, W.
Esmonde, Sir T.
Evans, W.
Evans, Sir De L.
Finch, G.
Fitzroy, hon. H.
Fitzroy, Lord C.
Floyer, J.
Frewen, C. H.
Fuller, A. E.
Gaskell, J. M.
Gisborne, T.
Godson, R.
Granger, T. C.
Grey, rt. hon. Sir G.
Grimsditch, T.
Hall, Col.
Hamilton, W. J.
Hatton, Capt. V.
Henley, J. W.
Hindley, C.
Hodgson, F.
Howard, P. H.
Hudson, G.
Irton, S.
Jervis, Sir J.
Lambton, H.
Langston, J. H.
Law, hon. C. E.
Lawson, A.
Maitland, T.
Manners, Lord J.
Miles, P. W. S.
Miles, W.
Mostyn, hon. E. M. L.
Mundy, E. M.
Muntz, G. F.
Newdegate, C. N.
O'Brien, A. S.
O'Brien, C.
Owen, Sir J.
Palmer, G.
Perfect, R.
Plumridge, Capt.
Pollington, Visct.
Repton, G. W. J.
Rolleston, Col.
Round, J.
Seymer, H. K.
Sheil, rt. hon. R. L.
Sheridan, R. B.
Shirley, E. J.
Smith, rt. hon. R. V.
Spooner, R.
Strickland, Sir G.
Thesiger, Sir F.
Tollemache, J
Troubridge, Sir E. T.
Tufnell, H.
Vyse, H.
Wakley, T.
Ward, H. G.
Wawn, J. T.
Williams, W.

TELLERS.

Ferrand, W. B.
Fielden, J.

Clause rejected.

Bill to be read a third time.

NAVAL PRISONS BILL.

House in Committee on the Naval Prisons Bill.

On Clause 1 being put,

Mr. WILLIAMS complained that the House had resolved itself into Committee without his knowledge. The Motion had been made in so low a tone of voice by the hon. Gentleman the Secretary to the Admiralty, that near as he was to him he had not heard him. He objected to the principle of this Bill. His first objection was grounded upon the fact, that instead of ameliorating the condition of the sailor, the present Board of Admiralty had not fulfilled the expectations to which it had given rise. He had expected from the Secretary to the present Board of Admiralty some measure for the amelioration of the condition of that most oppressed and worst treated body of Her Majesty's subjects, the sailors in the Royal Navy; but that Bill placed the sailor upon a worse footing than he had held before, and upon a much worse footing than any other class of Her Majesty's subjects. They were, in fact, treated with a degree of cruelty unequalled in any other country in the world. There was a most extraordinary difference made between the treatment of the Army and the Navy in this country. He would illustrate it by two cases which had occurred within the last three weeks. A private of marines, at Portsmouth, was charged with having first spilled his grog. A dispute arose about it, which led to some excitement and a quarrel, in the course of which he struck his sergeant. He was tried by court-martial, at the head of which was Admiral Parker. He was found guilty and sentenced to be hanged until he was dead from the yard-arm of one of Her Majesty's ships. A drummer of one of the regiments of guards was also tried for striking his commanding officer, the drum-major, who he believed ranked higher than a sergeant of the marines. He was found guilty, and sentenced to twelve months imprisonment. The Admiralty, indeed, showed their mercy to the marine, by remitting the sentence of death, and commuting it to transportation for seven years. But he asked, how could such a disproportioned system be countenanced by any Legislature? Another case had occurred at Portsmouth, where a man of excellent previous character was tried for desertion. He was found guilty, and sentenced to receive fifty lashes, which was worse than a sentence of two hundred in the Army, and to be imprisoned for twelve months. In that case again, the Admiralty remitted the lashes, but the man was sent to gaol for the twelve months. Now, the Secretary to the Admiralty knew right well that men could not be procured for Her Majesty's ships, because they would not subject themselves to have the flesh torn from their backs by the lash; yet what did that Bill do? In the preamble it recited that the practice of flogging men by the simple will and command of the commanding officer of the ship, without trial by court-martial, was admitted in Her Majesty's Navy; and it declared in one of the clauses, at the very end, that it gave power to the commanding officers of Her Majesty's ships to inflict such punishments as were customary in the Navy. So that it started by legalizing flogging without trial, and concluded by giving power to commanding officers to inflict it. But the chief feature in it was the power of inflicting the punishment of solitary confinement for twenty-eight days, which it gave to the commanding officers, without compelling them to bring the men to trial by court-martial. Another severe feature in it was, that if the father or brother of a man so confined were to offer him any assistance in effecting his escape, that father or brother would be liable to be transported for fourteen years. He concluded, by calling upon the House, not to allow the sailor to be sent to solitary confinement for twenty-eight days, without being previously brought to court-martial.

Mr. WARD complained of the charge made by the hon. Member for Coventry that the House had been resolved into Committee without proper notice, a charge which was totally undeserved for, far from having attempted to elude discussion, he had come prepared to meet it. The Bill had gone through two stages without any opposition having been offered; and it really was not his fault if, during the confusion occasioned by hon. Members leaving the House, his hon. Friend did not hear his Motion moved, and the question on it put. But, except that his hon. Friend had to address Mr. Greene instead of the Speaker, he did not see what cause his hon. Friend had to complain, for he was ready to debate the subject, and he was prepared to say, most distinctly, that there never was anything more unfounded or unfair than to make, as his hon. Friend had made, a general attack upon the mode of administering the law in the Navy, when the Board of Admiralty was taking every method possible to ameliorate the condition of the men. His hon. Friend had mistaken and mis-stated every clause in the Bill. It left the punishments just as it found them; but instead of allowing commanding officers to inflict corporal punishment at will, it only allowed them to inflict twenty-eight days imprisonment without court-martial. That sentence, too, must receive the sanction of the Admiral when in harbour. His hon. Friend was wrong in his condemnation of the whole system of governing the Royal Navy in this country. The mode of managing it had been much improved by the suggestions of his hon. and gallant Friend near them. But as to dispensing with those punishments altogether, it was a most visionary idea. Where a number of men was congregated together, as in a ship, there should be power given of inflicting punishment for insubordination; and he was sure that his hon. Friend the Member for Montrose would not oppose it, whatever the hon. Member for Coventry might do. Now, with regard to the charge of cruelty in the Navy, he should state that no man stood higher in his character for humanity than Lord Nelson, who had a great dislike to the infliction of corporal punishment. He had in his hand a list of the punishments inflicted on board the *Victory* from the 31st of August, 1803, to the 31st of October, 1804, and there were no less than 311 punishments inflicted during those fourteen months on board that ship, the total number of lashes given being 9,390. In the entire Royal Navy in the year 1844, the whole number of punishments inflicted were 1,411, the lashes amounting to 42,000; and in the year 1845, the entire number of punishments was 1,020, and the lashes were 32,000. Those were incontrovertible proofs that the discipline of the Royal Navy had not been increasing in severity, but that every year it had gone on improving, and a great moral improvement had taken place. He only wished to substitute by the Bill before the House one summary mode of punishment for another, without affecting the right of inflicting it; and he had suggested the substitution of imprisonment, with the certainty that the infliction of imprisonment in the Army had been productive of the most beneficial results.

Colonel T. WOOD said, in the case of the drummer alluded to by the hon. Member for Coventry, the man had admitted upon his trial the giving of the blow, and had stated that his object in striking the drum-major was to get himself transported — transportation having been the commuted sentence passed upon the sailor who had struck his commanding officer. But the drummer having committed the Act for the purpose of getting transported, it was the considered advisable to pass upon him the sentence of imprisonment, which would, of course, in his case, be more severe. But still the great objection to punishments of that description was, that they were not carried out in the face of the men.

Admiral DUNDAS, with reference to the sailor mentioned by the hon. Member for Coventry, said, the man had borne a good character previously, had been rewarded, and had then deserted without the smallest reason or cause.

Captain PECHELL expressed his satisfaction at seeing the Admiralty evidently anxious to diminish the severity of punishments, and thought hon. Members ought to have confidence in the naval authorities in the House. The Admiralty deserved credit, not only for boldly grappling with the difficulties of the subject, but for giving returns which had been called for very rightly, and which no officer who had conducted his ship properly ought to be ashamed of. But he (Captain Pechell) must say, he wondered how the sailor formerly bore the grievances to which he was subject.

Mr. FITZROY felt convinced that the general desire of the officers in Her Majesty's service was to decrease the severity of punishments. The Admiralty also, both the present and late board, was entitled to credit for an anxiety to raise the moral condition of the men, and make severe sentences needless. But it was very bad encouragement to the Government to be met with hard speeches from an hon. Member, as if they were trying to increase punishments.

Captain BERKELEY felt bound to say, that an hon. Member might do much harm by making unfounded charges upon this subject, because such statements prevented men from entering the service. When two courts-martial were held lately for desertions, their sentences were far more severe than would have been awarded without a court.

Mr. P. HOWARD hoped the Government would, as soon as the finances permitted, increase the pay of the British seamen; and, by bringing it nearer to an equality with the American pay, remove one of the great temptations to desert.

Mr. WILLIAMS did not object to the substitution of imprisonment for flogging, but still felt bound to object to the statement in the preamble of this Bill:—

> "Whereas by the laws and customs of Her Majesty's Navy, officers commanding Her Majesty's ships and vessels are empowered to order corporal punishment for various offences without the offenders being tried by court-martial."

That would acknowledge and legalize the practice.

Mr. WARD could not withdraw the words; they simply stated a fact.

Sir C. NAPIER agreed that the sailor was not well paid, but it was not the fault of the Admiralty, but of the Exchequer. For one improvement, however, funds might surely be found, viz., to increase the pay of the petty officers; it would not cost much, and there should be held out to the men a prospect of rising to a more respectable situation. The Admiralty deserved great praise for bringing forward this Bill. A substitute for corporal punishment had long been wanted; there had not been opportunity on board the ship for punishing by imprisonment, and not any place for the purpose. Only the other day an officer was stigmatized as a tyrant, when his only object was to avoid administering corporal punishment; he imprisoned a man in the coalhole, and the man died. Living, as he (Sir C. Napier) did, on the Portsmouth road, he had continually seen deserters passing along boldly in their sailor's dress, not afraid of meeting a policeman or anybody else; but there would now be power to apprehend such persons. There was one very objectionable practice he would mention; if there was found a bad character on board a ship, it was sometimes the practice to put him into a boat, and tell him he had better be off; he went away untouched, and that led sailors to think there was no crime in desertion.

Mr. HUME had no objection to this measure, except that it did not sufficiently assimilate the system of the Navy to that of the Army. The new regulations in regard to corporal punishments, introduced by the Admiralty, ought to have been carried into effect by Order in Council; if any attempt were made to punish a man with forty-eight lashes under that regulation, a question would be raised as to the legality of the sentence. He could not agree with the gallant Officer (Sir C. Napier) on the subject of deserters. The best course would be to give commanders power to send away turbulent fellows when such appeared. Encouragement to good conduct, by holding out the prospect of promotion, would be preferable to an increase of pay. In the Army, rewards were given to the sergeants. Why were no rewards given to sergeants of Marines? No service was more deserving; but, from communications he had received, he knew that the marines felt themselves neglected. Sailors found themselves so little cared for, that they saw nothing before them but misery and the workhouse. The shipowners were anxious to co-operate with the Government in forming a general fund for the relief of that class; and the application of the 40,000*l.* raised annually in name of light-dues for the benefit of those who had claims on the ground of merit and of service, would have a powerful effect in stimulating them to exertion. Such measures as these would, he thought, be far more likely to exercise a favourable influence on sailors, and tend much more to the improvement of their condition, than the system which had hitherto been pursued.

Mr. WARD had already given expression to the desire which existed, that the pay of the petty officers should be raised. Nothing but the exigencies of the Exchequer could have prevented an increase from being granted; and he hoped that in the course of another Session it would be found practicable to bring forward a substantive proposition on the subject. No measure, he believed, could tend more to improve the character of the men, than some addition to the pay, and the introduction of some honorary distinction. It would afford him great gratification to be instrumental in carrying out such a measure. He perfectly concurred in the remarks which had been made as to the sergeants of Marines; some plan was in contemplation on the subject; and no person could be more anxious to encourage a class on whom the preservation of discipline so much depended than the noble Lord at the head of the Admiralty. An objection had been stated with regard to the regulations on the subject of corporal punishments; but the 22nd George II. enacted as to crimes not capital, that punishments should be inflicted according to the laws and customs which had theretofore obtained. One of those customs was for the Crown to make regulations, from time to time, in regard to such punishments. That had then been done by Order in Council; but the terms of the original order, which was now superseded, were such that it was open to dangerous abuse, and the tendency of the recent order was to reduce the amount of punishment. The authority of that order rested upon the power and the right possessed by the Crown of determining, from time to time, what was the punishment which ought to be inflicted.

Captain HARRIS thought, as 40,000*l.* or 50,000*l.* would cover the increased pay of the petty officers, a supplementary grant might have been proposed. The time would come when the articles of war ought to be revised. Officers were as anxious as others to reduce the extent of punishments; but he was afraid he must characterize the last order as imprudent; many young officers in the command of ships would be very loth to bring cases before a commander-in-chief, considering the feeling which at present pervaded the public mind on the subject of corporal punishments, and the influence which, in consequence, might possibly be found to affect their promotion.

In answer to a question from Captain PECHELL,

Mr. WARD said, that power was taken in the first clause to order offenders to be imprisoned in any public prison, gaol, or house of correction, only to enable them to carry the Bill into immediate operation. It was intended to provide naval prisons, either afloat or on shore, as soon as possible.

Mr. WILLIAMS said, there were two powers in the clause—one to flog, and another to imprison. Now, with reference to flogging, he wished that that punishment should be assimilated in the Army and Navy. In the Navy, owing to the nature of the instrument employed, the punishment of flogging was much more severe than in the Army; and if it was not to be altogether abolished, at least the horrible instrument ought to be made less cruel.

Clause 1 agreed to, as were the succeeding clauses.

House resumed. Bill to be reported.

CLAIMS OF SPANISH BONDHOLDERS.

LORD G. BENTINCK said, he had put two notices on the Paper for the production of correspondence between the Foreign Office and the Government of Spain, on the subject of arrears of pay due from that Government to the British Legion, and between the Foreign Office and the Government of Portugal, upon the subject of the military pensions due from Portugal to the Duke of Wellington and Viscount Beresford. The object which he had in view, in wishing for the production of those papers was, to lay a foundation for the interference of the British Government to obtain from the Government of Spain a settlement of the just claims of the Spanish bondholders; but his noble Friend the Secretary for Foreign Affairs had suggested to him, that as the Spanish and Portuguese Governments had been brought to reason by the representations of the British Government in the cases referred to, it might appear ungracious to have the correspondence published, and therefore proposed to supply him privately with such *memoranda* as would enable him to enforce the claims of the Spanish bondholders. Under these circumstances, he would withdraw his notices of Motion.

Motion withdrawn.

House adjourned at Six o'clock.

HOUSE OF LORDS,

Thursday, April 22, 1847.

MINUTES.] PUBLIC BILLS. *Reported.*—Fever (Ireland). 3° and passed:—Troops during Elections; General Register House Edinburgh.

PETITIONS PRESENTED. From Stratford and several other places, against the proposed Government Plan of Education.—From Cork, that the Ships bringing Food to Ireland may be made available for the purposes of Emigration.—By Earl Clancarty, from Ballinasloe, for Alteration of the Poor Relief (Ireland) Bill; and from Members of the Medical Profession of Tyrone, for Regulating the Salaries of Medical Officers of Workhouses, Unions, and Fever Hospitals in Ireland.—By Lord Kenyon, from St. Marylebone, for the Adoption of a Humane and Efficient Poor Law for the Permanent Relief of Ireland.—From the Grand Jury of Roscommon, in favour of a Plan of Systematic Colonization as a Means of Alleviating the Distress in Ireland.—By Earl Fitzwilliam, from Wakefield and several other places, in favour of the Government Plan of Education.—By Lord Ashburton, from British Subjects resident in China, for the Adoption of such Measures as will afford them better Protection for their Lives, Property, Trade, &c.—From Guardians of the Ardee Union, for the Equalization of Rates over all the Union.

BREACH OF PRIVILEGE.

The MARQUESS of WESTMEATH said, that he had now to call their Lordships' attention to a matter which he would most willingly have refrained from doing; but that, standing in the situation of an Irish representative Peer, and having the crime of being an Irish proprietor resting upon him, he did not choose to be made the butt of misrepresentation in any organ whatever, as to the motives of his conduct, or as to the manner in which he thought fit to execute his duty in their Lordships' House. He was as sensible as any man could be of the fact that if any Member of either House of Parliament spoke in his public character upon any public question, he was open to have his language and his conduct criticised. He did not object to that. As a mite of the British public, he was open to have his conduct observed upon. He complained not of that; but he did not choose, acting in that House as an Irish representative Peer, to have the ground cut from under him, and to have mis-statements go forth respecting what he thought it his duty to say, for the purpose of maliciously founding upon those misrepresentations, or suppressions, arguments calculated to attempt to cajole or bamboozle the Irish representative Peers of their Lordships' House, or of those Peers who were connected with that country by property, out of their common sense and freedom of action. He had also another objection to make of a thing which was equally unfair, and that was, that words should be put into his mouth which he did not say, and that those words should be suppressed which he did say, and then to found upon such false premises accusations and imputations against him. He had to remark, that in *The Times* newspaper on Wednesday, there was a report of their Lordships' proceedings, in which what he stated was purported to be given, but which he did not say; and that what he did say was carefully and intentionally omitted. The passage ran thus:—"The Marquess of Westmeath complained of the ridicule with which his proposal had been received." If he ever should say anything to their Lordships which exposed him to their Lordships' ridicule, he must be content to labour under it; but when he knew that he had not exposed himself to their Lordships' ridicule —nor did he complain of having been ridiculed by their Lordships — he could come to but one conclusion, that the intention of that newspaper, and of another newspaper which he should presently mention, was to excite a feeling in this country and in Ireland, so that, if the assassin's stiletto might not reach him, the bullet might possibly do so. He was too well acquainted with the machinery of all this work not to be sensibly alive to all these matters. He did not mean to say that he feared either. He just cared as much or as little about his life as any of their Lordships did about their own; but he certainly did not wish to court the bullet of the assassin any more than any of their Lordships. He complained of no ridicule; but what he did complain of was, that the Lord Chancellor should have got up and replied to him in the manner he had done; and if he (the Marquess of Westmeath) did express himself strongly on the occasion, he, at the same time, felt great regret that he should be obliged to use such strong language towards a man for whom he entertained the sincerest regard, and who was as good a Lord Chancellor as ever sat in the court over which he presided. There could not be a more amiable man than the noble and learned Lord; nevertheless, he (the Marquess of Westmeath) thought that the noble and learned Lord did him injustice; and he certainly did say that he thought it was a pity that the Lord Chancellor of England should place himself in the situation of trying to get rid of a Bill, the necessity of which he admitted, by endeavouring to raise a laugh among their Lordships, without meeting the case as he should have done. He would further remark, that the noble and learned Lord had no good cause for taking that course, inasmuch as the cause which the noble and learned Lord assigned, and which brought the laugh of their Lordships upon him (the noble Marquess), was altogether unfounded. The noble and learned Lord said, that he (the Marquess of Westmeath) supposed that the Act of Parliament from which his Bill was framed was an English Act; whereas he (the Lord Chancellor) had discovered that it was an Irish Act; and upon the noble and learned Lord saying this, the laugh of their Lordships was turned upon him. The noble and learned Lord stated that his (the Marquess of Westmeath's) Bill was to prevent the erection of houses. Now the fact was, that the term "houses" did not occur once in the Bill. The object of the Bill was to prevent the erection of huts and cabins, which everybody knew was a great evil at the present day in Ireland. But if this manner of taking up their Lordships' debates and misrepresenting them, for the purpose of coolly, calmly, and maliciously founding upon such false reports arguments which were to tell, when the time came, either for or against any measure which some wretch, concealed somewhere or other—for he was not seen, but scribbling somewhere or other—might wish to promote or oppose—if this practice of misrepresentation should be permitted to proceed, it would finally take away the liberty of discussion and deliberation which belonged to their Lordships in their legislative capacity. The *Sun* newspaper also put words in his mouth such as he certainly should be ashamed of having ever used; for the composition was almost illiterate and bad English. The words attributed to him were these: "Lord Almighty help us!" (continued the noble Marquess) "it is a poor thing that no exertion can be made to protect the condition of the Irish landlords without subjecting us to ridicule!" He (the Marquess of Westmeath) said no such thing; he merely objected to the frivolous attempt made by the noble and learned Lord against his Bill. As far as his exertions in their Lordships' House were connected with his own proprietorship, he might consent to make very little use of them; but he was there as a representative Peer, and he was determined, cost what it might at this awful crisis, when the time came, to do his duty; and he hoped their Lordships would not allow themselves to be stayed by these attempts to control their proceedings. He should now move that the printers of these two papers be called to the bar of the House.

The LORD CHANCELLOR was understood to intimate to the noble Marquess that two distinct Motions must be made.

The MARQUESS of WESTMEATH accordingly moved—

"That the printer of *The Times* newspaper be called to the bar of the House for a breach of their Lordships' privileges."

LORD BROUGHAM said, that no person was more convinced than he was, that if their Lordships allowed reports of their proceedings to go forth, it was absolutely necessary that fairness, honesty, and honour, ay, and accuracy too, should be preserved in the reports so given. He admitted the full necessity of this; and if the noble Marquess had reason to complain of any misrepresentations, he would join the noble Marquess in saying that the author of that misrepresentation was deserving of censure. At the same time, the plan which he had himself invariably acted upon both in that House and in the other House of Parliament — and which was now for a period of thirty-seven years—was that which he would advise the noble Marquess himself to follow, and that was, to avoid, if possible, needlessly to interfere in such a case as this. That their Lordships had the undoubted right to exclude any stranger from being present at their proceedings no one could deny; and that it was a sort of permissive breach of privilege that they were not excluded, was equally unquestionable; but, at the same time, their Lordships ought to consider, that those persons who gave to the public an account of their proceedings, did so, he would not say 99 times in every 100, but 999 times in every 1,000, in a manner that showed that they were actuated by the fairest motives. It must be admitted that their reports were marked by very great ability, very signal ability, and that it was with most admirable impartiality that their accounts were given of what passed within the walls of Parliament. He, therefore put it to the noble Marquess whether he might not be satisfied with the notice which he had just taken of the misrepresentation of which he complained without proceeding further. Never had any good arisen, either to their Lordships' House or the other House of Parliament, from their needlessly entering into any contest with any portion of the press. He had himself long suffered under a misrepresentation by the press; and he found that the more frequently he contradicted it, the more constantly was it repeated. He was once reported to have said that the newspaper press was the best possible public instructor; and Mr. Cobbett, on almost all occasions afterwards when speaking of the newspapers, called them "Henry Brougham's best possible public instructor." It was necessary for him (Lord Brougham) once or twice to declare that he had never used those words. He had said that the press might be the best possible public instructor—not the daily press, but the press generally—and the daily press also, provided it discharged its duty in all cases without favour, fear, or affection, and without slander; but it was on a trial for slander against a newspaper that he said this; therefore, instead of saying that the daily press was the best public instructor, he said that it was not, but that it might be if it were properly conducted. He did hope that his noble Friend would not press his Motion. It should be borne in mind that there were peculiar difficulties at the present moment which these persons had to contend with. Their Lordships were in a new House, and their voices could not be heard so accurately as they would be in the course of a little time. He was sure his noble Friend would consider that circumstance, and exercise justice in mercy.

The Marquess of LANSDOWNE would put it to the noble Marquess whether he would enforce the order of their Lordships' House on this occasion. The noble Marquess had attributed wilfulness to the parties who had misrepresented him. But, when an inaccuracy occurred in a report in any newspaper, it was impossible, in the first instance, to say whether it was done wilfully or not. The usual course was, when any noble Lord found himself misrepresented in a newspaper report, for that noble Lord to state that he had been misrepresented, and to point out the particular sentence in which he had been so misrepresented, in order to give the party an opportunity of correcting that which he had erroneously done. He did not know the particular points respecting which the noble Marquess complained; but, as he had stated that he had been misrepresented, he would, no doubt, have it corrected.

The Marquess of WESTMEATH said, having stated the case he had to bring under their notice, and their Lordships have been kind enough to accord it so much favourable attention, he would not press his Motion farther; more particularly as the noble and learned Lord opposite, who had so much more experience in Parliamentary matters than he had, had recommended a contrary course. His wish, in bringing the question forward, was to secure in future that whatever public opinions a person expressed, should be accurately reported. It was more particularly important, considering the present condition of Ireland, that whatever was spoken in that House or elsewhere on Irish subjects should be truly given. The *Morning Chronicle*, and all the other morning papers, had furnished his statement in a manner different from what it had appeared in *The Times;* but, connecting the language attributed to him with a leading article in that journal, of a most scurrilous and abusive nature, directed against himself, nothing could persuade him but that that particular part of his observations was taken out, and so altered as to suit the views attempted to be conveyed in that article. But as their Lordships had heard the case, and as they were best capable of forming a sound judgment as to the mode of proceeding which ought to be pursued, he would not press his Motion, seeing that the feeling of the House was in favour of that course.

The LORD CHANCELLOR was understood to say, that he had not intended to treat the noble Marquess with any disrespect. His observations had been made with reference to the Bill then before the House, and not to the noble Marquess personally.

The subject then dropped.

FEVER (IRELAND) BILL.

House in Committee.

LORD MONTEAGLE feared that from the immensely disproportioned size of some of the poor-law unions in Ireland, they would be put by the provisions of this Bill under totally insufficient medical supervision. He would wish to submit to his noble Friend and the House some Amendments which might have the effect of rendering its operations more efficient; but as he did not wish to give anything like opposition to the measure, he would give them in private in a written shape to his noble Friend; and, if, upon due consideration, his noble Friend should think them unfitted for the purpose for which they were intended, he would be quite satisfied to press them no further. But he regretted that a larger measure had not been brought under the notice of the House; one which should have for its object the improvement of the whole of the medical charities in Ireland, which, for want of some improvement, were curtailed of half their usefulness. He should say that there was no objection on the part of the Irish landed proprietors to tax themselves for the wants of their suffering fellow-countrymen. He himself had had considerable experience in the management of those medical charities, and he had never applied for aid towards the extension of their usefulness to any of the local proprietors but he had received assistance which was given with the utmost cheerfulness. A measure for the improvement of the law relating to those medical charities had been introduced before; but it was lost, in consequence not of any neglect on the part of the landed proprietors, but owing to the disputes which had arisen amongst the medical men themselves, in consequence of petty professional jealousies. He wished that some measure could be introduced regardless of those professional squabbles. It would meet with the most earnest general support in Ireland.

The MARQUESS of WESTMEATH said, that the professional disputes and jealousies alluded to by the noble Lord had arisen in consequence of the facilities which existed for obtaining diplomas in England and Scotland being so much greater than in Ireland. He thought it would be the better course to place some restrictions upon persons having those easily obtained diplomas.

The EARL of CLANCARTY regretted that the Government had not brought in a measure founded on the Medical Charities report. The noble Lord (Lord Monteagle) had spoken of the impediments thrown in the way of legislation on this question by medical men; but he owed it to the medical authorities of Ireland to say, that whatever difficulties might have been thrown in the way of legislation by others, those distinguished medical professors who came before the Medical Committee last Session evinced a very different spirit.

The MARQUESS of CLANRICARDE said, the present measure was entirely of a temporary nature, and it would have been impossible to meet the evils which unhappily existed to so great an extent at present by a general and more comprehensive measure. He was glad that there was no intention of delaying this Bill, as the accounts received from Ireland every day showed more and more the necessity that existed for a measure of this kind. The Government would not be neglectful of bringing forward a Bill to regulate the medical charities at the proper time; but the noble Lord who had spoken had admitted the difficulties which at all times beset such a subject; and he was convinced that those difficulties would be greatly increased were the attempt made now.

Bill reported.

House adjourned.

HOUSE OF COMMONS,

Thursday, April 22, 1847.

Minutes.] Petitions Presented. By Admiral Gordon and other Hon. Members, from several places, against the Marriage (Scotland) Bill.—By Mr. Hudson, from York, against the Roman Catholic Relief Bill.—By Lord J. Manners, from several places, in favour of the Roman Catholic Relief Bill.—By Sir C. Napier, from Marylebone, and Mr. Wakley, from Finsbury, for Inquiry respecting the Rajah of Sattara.—By Mr. Pusey, from Owners and Occupiers of Land attending Wantage Market, in favour of the Agricultural Tenant-right Bill.—From Horton, for Repeal of the Anatomy Act.—By Sir J. Hobhouse, from Nottingham, for Alteration of the proposed Plan of Education.—By several Hon. Members, from a great many places, against the proposed Plan of Education.—By Sir W. Clay and other Hon. Members, from several places, in favour of the proposed Plan of Education.—By Mr. Wakley, from Factory Workers of Calton, Glasgow, for the Ten Hours Factories Bill.—By Mr. Aglionby, from Samuel Gordon, Esquire, of Aungier Street, Dublin, for Inquiry.—By Mr. J. Bailey, from Worcester, and Mr. Wakley, from London, against the Health of Towns Bill.—By Mr. M. Gibson, from Manufacturers of Hosiery in the County of Leicester, against the Hosiery Manufacture Bill.—By Mr. Brotherton, from James Haughton, 35 Eccles Street, Dublin, against deriving Revenue from Intoxicating Drinks.—By Lord C. Hamilton, from Aughaloo (Tyrone), for Alteration of the Law of Landlord and Tenant (Ireland).—By Mr. J. Bailey, from Devynnock, for Repeal or Alteration of the Lunatic Asylums and Pauper Lunatics Act, and Lunatics Act.—By Sir P. Egerton, from Guardians of the Congleton Union, and Mr. Wakley, from London, for an Efficient Poor Law (Ireland).—By Mr. W. Miles, from Bruton, for Repeal or Alteration of the Poor Removal Act.—By Mr. R. Hodgson, from the Newcastle-upon-Tyne and Carlisle Railway Company, against the Railways Bill.—By Admiral Gordon and other Hon. Members, from several places, against the Registering of Births, &c. (Scotland) Bill.—By Colonel Mure, from several places, against the Registering of Births, &c. (Scotland) Bill; and the Marriage (Scotland) Bill.—By Mr. Osborne, from Kilmurry (Clare), for Inquiry into certain Charges respecting Captain Wynne.

RAILWAY LEGISLATION.

Sir J. GRAHAM brought forward the Motion of which he had given notice. He regretted the absence of the right hon. Member for Coventry (Mr. Ellice), who had caused the resolution of the 23rd February to be unwarily adopted; its terms were ambiguous, and what was required under it was unjust and led to needless delay. All the justice of the case would be attained, and the object of his right hon. Friend accomplished, if the change he (Sir J. Graham) now proposed were adopted. He moved that the Resolution (23rd February)—

> "'That all Railway Bills in the present Session be referred to the Railway Commissioners, for their Report to this House upon the following points previously to such Bills being considered in Committees of this House,' be read, and rescinded."

Ordered.

The right hon. Baronet then moved—

> "That all Railway Bills in the present Session be referred to the Railway Commissioners, for their Report to this House upon the following points previously to a decision on the Preamble of any Bill by the Committee thereon."

Mr. STRUTT was anxious that it should be understood that he was not responsible for the resolution out of which the inconvenience had arisen. He assured the House that every possible exertion had been made by the Railway Commissioners; but those exertions had been ineffectual, and he was afraid that parties would be put to considerable difficulty and expense.

Motion agreed to.

TRANSPORTATION TO THE CAPE OF GOOD HOPE.

Mr. HOPE wished to put a question to the Colonial Secretary as to a statement on the subject of the transportation of military offenders. That statement was, that in future offenders in the Indian army were to be transported to the Cape of Good Hope; and he should be glad to be informed if it were true, whether the decision had been come to alter communication with the authorities in the colonies, and whether the expense was to be defrayed out of the imperial funds?

Mr. HAWES answered that it was true that it had been decided that military convicts in the Mauritius should be conveyed to the Cape of Good Hope, where, as the hon. Member was aware, a depôt had been established. The expenses, as in all other similar cases, were to be borne out of the imperial funds. That was the only decision that had at present been come to; but it was a subject that must be viewed as a whole, and not with reference to particular regulations.

SUPPLY—GOVERNMENT PLAN OF EDUCATION—ADJOURNED DEBATE—(THIRD NIGHT).

Sir W. CLAY said, he intended to support the Motion of his hon. Friend the Member for Finsbury; but could not do so without stating briefly the reasons which induced him to come to that determination. He should vote for the measure of his hon. Friend; but he wished that vote to be taken only in the sense in which he gave it, as the expression of his opinion that there were grave objections to the educational plan brought forward by the Government, not an indication of his being opposed to the intervention of the State in the education of the people—still less, as the noble Lord seemed to intimate he should consider it, a vote of censure on the noble Lord and his Colleagues. Certainly, had he looked on the vote in that light, he could not have joined in it. Without his vote being so considered, it was sufficiently painful for him to differ with the noble Lord; but if he did so, it was on the noble Lord's own precept and example; if he differed from him now, it was only because it appeared to him (Sir W. Clay) that under the pressure of an influence to which he need not have yielded, the noble Lord differed from himself. In opposing the Liberal Government of 1847, he supported the principles of the Government which founded the Irish system of national education —the principles of the scheme brought forward by the Government of 1839. The noble Lord had stated that there were parts of the plan which he could himself have wished to be different; but even without that avowal, he should have found it impossible to believe that the scheme had the entire approbation of the noble Lord. He doubted whether he differed much with the noble Lord as to the merits and defects of the scheme—whether, in fact, the only difference between them was not whether it was necessary or wise now to adopt a plan of education embracing such defects, or to wait until they could have a plan less open to objection. After the most anxious consideration, he was of opinion that the objections to the present plan were of so grave a nature, that if—of which, however, he doubted—it were not in the power of the Government to carry through a plan free from those objections, it would be better to wait for some more auspicious moment, when a really good plan of national education might be successfully brought forward, than to give the sanction of the Legislature to a plan radically faulty and defective. For they must not forget that by the measure before them, a scheme of national education was for the first time brought under the consideration of Parliament. The noble Lord seemed to think it was inconsistent in those who had supported the educational grants of previous years, to oppose the present plan. But surely the cases were widely different. Those grants were merely for the fabrics of the schools. They were given into the charge of two societies totally unconnected with the State — the National and the British and Foreign. Those societies were taken generally as representing the interests of the Church and the Dissenters respectively. But the State had not interferred in the slightest degree in their internal arrangements, nor incurred the smallest responsibility as to the mode in which they conducted the schools, the fabrics of which the grants had aided to construct. Now they were about to interfere in the whole business of education, to maintain an entire educational staff, and, with respect to schools connected with the Church of England, for the first time to give the sanction of the Legislature to their system of education as regarded religious instruction. They were entitled then, they were bound indeed, to look at the Motion of the noble Lord as introducing a large, if not a comprehensive, plan of Government education, and to look to it in its intended development and completeness. To the measure so viewed, he had, as he had stated, insuperable objections. Those objections he should state to the House with regret, perhaps, but without reserve or hesitation. With regret, because it was painful to him to differ with men with whom he commonly acted, and for whom he entertained a respect as profound as it was sincere; but without hesitation, because he felt the firmest conviction that those objections were well founded. Nor could he permit himself to be deterred from following the course he believed to be right, by the fear of being in a small minority. He could not forget that he had before been in small minorities for principles and causes, of which he had subsequently witnessed the triumph. He had opposed the Irish Coercion Bill of 1833, in a smaller minority than he expected to be in that evening. He had brought forward the repeal of the Corn Laws in 1837, with the whole of one of the great parties in that House banded against him, and with but partial and lukewarm support from the other. As far as ability went, or weight in that House, he could not but feel how unequal was the contest between the supporters and opponents of the measure; but it appeared to him that the speeches of his noble and right hon. Friends, eloquent as they were, did not apply at all, or scarcely at all, to the real difficulties of the question: they were unanswerable where no answer was intended, where he, at least, intended to make no answer—convincing where he did not need to be convinced. They proved, beyond the possibility of dispute, that it was for the good of the nation that the whole people should be educated—that the means of such education were deficient in this country—that it was the duty of the State to provide those means; but they wholly failed to convince him that the plan proposed by the Government provided the best means—that it was not, on the contrary, open to the gravest objections—that it was not, in some most important particulars, inexpedient, inefficient, or unjust. In one of the objections to the measure, which had been insisted on out of doors, which had been referred to in that House, and which was, indeed, embodied in the Motion of his hon. Friend, he could not concur, viz., its tendency to increase the influence of the Government. He agreed with the noble Lord in thinking there were no sufficient grounds for apprehending that it would make any very dangerous addition to the patronage of the Government; but was it equally true that it would not add unduly to the influence of the Church? He (Sir W. Clay) thought not. He thought, on the contrary, that no measure had of late years, perhaps not for more than a century, been brought before Parliament equally calculated to add to her power and influence. He thought this consideration one of the last importance. He did not wish to overstate it; let the House judge. He believed, in the first instance, that it would give the education of the people almost entirely into the hands of the Church. His right hon. Friend the Secretary for the Home Department disclaimed any such intention. He fully believed that disclaimer. He was satisfied that the Government did not propose the scheme with any such view; but he was not the less satisfied that such would be its practical effect. In the second place, the plan invested the clergyman of every parish with wholly new functions, which would give him a degree of power and influence, injurious alike, as he thought, to the clergyman and to his flock. When the scheme had received its intended and ultimate development — and in that view they were bound to look at it—there would be in every parish of the kingdom, or nearly so, a Church of England school. That was sure to be the case. Everywhere the members of the Establishment were rich enough to comply with the conditions required by the Minutes of Council. In every parish, too, the minister of the Church—a man whose connexions, habits, and the usages of English social life, brought him into contact with the wealthiest classes—would be the earnest advocate of such a school. They might feel assured, then, that in every parish in the kingdom, or almost every parish, there would be a Church of England school. In those schools, not only were the benefits of education restricted to children whose parents consented to their being taught the peculiar doctrines of the Church, but great worldly advantages were dependent on the approbation of the clergyman of the parish. Every step of the progress of the stipendiary monitors and pupil-teachers required his certificate. Now, nothing was more certain than that appointments which could not be obtained without the approbation of any functionary, came at length to be in his gift. But from these pupil-teachers or apprentices, the youths to be educated at the expense of the State at the normal schools were to be selected. From the pupils of the normal schools were to be taken all the schoolmasters, who were sure of an adequate maintenance and of an ultimate provision; and those who should fail in obtaining that promotion were to be eligible to appointments under Government. Of course they were to have the preference over other candidates, or the prospects held out on this point would be illusory. Let them, then, for a moment, look at the power they were giving to the Church. They had a right, as he had said, to look at the scheme in its intended completeness. It had been calculated that it would require for its ultimate development, including masters, mistresses, apprentice-teachers, stipendiary monitors, pupils at normal schools, and others, not less than 80,000 salaried assistants, involving 16,000 fresh appointments every year, besides those who would get places under Government. To the success in life of all these, or so nearly all that the deduction was scarcely worth making, the certificate of the parson of the parish was necessary. Were they prepared to give to the Church power so enormous? Did the history of their own country—did any history teach them that influence so vast was a weapon safely to be trusted to the hands of any ecclesiastical corporation? Why, every man who had mixed in public life—every Member of that House—knew, that such places as this scheme would create, were the objects of the earnest ambition — of the passionate longings, not only of the labouring, but of the lower grades of the middle classes. And the power to gratify these longings, to attain those objects, they were going in a very high degree to confide to the Church. No wonder that the Church approved of it

—that her dignitaries supported it warmly. What was the language of the Archdeacon of Middlesex at his recent visitation? After stating that in his opinion 'the soundness of the body politic was best maintained when the Church was adequately assisted by the State, and when the educational affairs of every parish were superintended by the parochial clergyman," he said, "that system it now appeared to be the object of the Government to acknowledge and extend." The Archdeacon concluded with an energetic appeal to the clergy in support of the Government scheme of education, and with the expression of his conviction that it would prove in the highest degree beneficial to the interests of the Church. And beyond all doubt the venerable Archdeacon was right; the scheme would be in a high degree beneficial to the interests of the Church, by enabling her ministers to exert a powerful influence over the fate and fortunes of nine-tenths of their parishioners. But was it desirable that the Church should possess such a power? He was utterly adverse to the entrusting such power to the ministers of religion—it was alien to their proper duties — it would tend to pervert and distort their own sense of those duties, and to produce among their flocks a prostration of mind and slavish obedience to their spiritual instructors, utterly at varience with that healthy and manly tone of character and independence of thought which it should be the aim of every free Government to foster and promote by all its measures among the people subject to its control. But he should be told that the Dissenters might participate equally with the Church in all the advantages held out by the scheme if they would comply with the conditions. If they would comply with the conditions—but could they? The same answer might be given as to the defender of the English law. "It was open to all," he said. "To all who can pay," it was replied. "But so is the London Tavern." The Minutes state expressly, that the conditions of participating in the benefits held out by the scheme are, "That the trustees and managers of the school provide the master with a house, rent-free, and a further salary equal to twice the amount of the grant." In how many parishes of the kingdom would the Dissenting part of the inhabitants be able to comply with these conditions? He had no means of knowing; but he doubted whether out of the great towns there would be found one parish in ten in which the Nonconformists would have it in their power to comply with the terms. But if he were wrong in this estimate—if the proportion were much larger—if even there were but few parishes in which the Dissenting portion of the inhabitants could not participate in the grant—if there were but one such parish, the proposed grant would be unjustifiable, as it would be taxing the whole community for the benefit of a portion of the community. Again, with regard to one class of dissentients from the Established Church, the Roman Catholics, it appeared that, apart from all difficulties connected with pecuniary contributions, conditions were imposed, in the form of religious tests, that would render it impossible for them to participate in the advantages held out by the Government plan. But what was the answer given to this charge of injustice towards Nonconformists? The right hon. Gentleman the Member for Edinburgh said, in the first place, that if in any parish there were 900 members of the Church, and 100 Dissenters, you must attend to the interests of the majority and not of the minority; secondly, that the minority would not be worse off than they were before; and thirdly, that they would participate in that increased security of the whole community which a wider diffusion of education would create. A case might well be pronounced indefensible for which the brilliant intellect of his right hon. Friend could find no better defence. Suppose the question were of dispensing medicine for the body instead of the mind—suppose, in the recent Poor Law for Ireland, they had excluded Protestants, the minority, from the dispensation of medical relief—that they had enacted that no one should receive medical attendance who did not avow his belief in transubstantiation—would his right hon. Friend have justified that exclusion? Would he have said to the remonstrating Protestants, "In the first place you are the minority, and ought not, therefore, to expect relief; in the next, you are no worse off than you were before we passed the Bill; and, in the third, that you will profit largely by the improved health and freedom from infection of the whole country?" Might they not reply, "But we pay our share of the rates, and claim our share therefore of the particular, as well as of the general, benefit. It was needless to pursue the argument further. But what said the noble Lord the Member for London? Why, admitting the defective character of the plan in this respect, he expressed a hope that the managers of Church of England schools would not adhere to the restrictions which rendered it impossible for the children of Dissenters to participate in the benefit of the education in such schools, and that where they were disposed to relax those restrictions, the Committee of Privy Council would not object to such relaxation. And was it really come to this? That the First Minister of the Crown, and that First Minister, too, the noble Lord, with all his moral courage, with all his love of religious liberty, should ask the sanction of the Legislature to a system of religious instruction the most jealously exclusive and sectarian, and then, feeling its injustice, express in the same breath a hope that that system should be infringed—that the very regulations he had called on Parliament to enact should be broken. In the same spirit the noble Lord the Chief Commissioner of Woods and Forests admits that the Minutes as they now stand exclude Roman Catholics, but says he will not continue a member of the Committee of Privy Council if that exclusion be continued. But then, in the name of common sense, why call on Parliament to sanction such Minutes? But let them look at the plan in its best aspect—that in which its promoters wished it to be considered. Suppose, said the right hon. Gentleman the Member for Edinburgh, there were four schools connected with the Church of England, the Free Church of Scotland, the Wesleyans, and the Independents, respectively; all might, on complying with the same conditions, receive the same assistance. Where then, he asked, was the injustice? But was there ever a contrivance more clumsy, more cumbrous, more costly, to prevent injustice. These four schools might be in the same district, the same parish; the entire number of children might not be more than one school could accommodate, and you create four, with quadruple sets of masters, pupil-teachers, monitors, and inspectors. You might have one good school, you provide four bad ones. But he might be told that was the present state of affairs. True, but it had not the sanction or assistance of the State. They repudiated the voluntary principle as applied to education; but they adopted its worst characteristic—its narrow, sectarian, and exclusive spirit. But then, it was said, look at the difficulties with which the question was surrounded. Some measure for the promotion of education was necessary. The state of religious feeling prevented their doing all that was desirable; but something must be done, and this, at least, was a step in the right direction. He denied that assertion. In many important particulars it was a step in the wrong direction. It was a step towards sectarian, instead of general and comprehensive education—a step towards the farther separation of the people, instead of towards a system which might be made a very efficient means of uniting them in feeling and opinion—a step towards an unjust and partial, instead of towards a fair and equal extension of Government assistance towards all classes of the community. The truth was, their difficulties arose from the fundamental error of the Government interfeing at all in religious instruction. He had already said, that he did not agree with those who denied the right or expediency of the State providing the means of education for all children for whom it was not otherwise provided. The arguments for such provision by the State were, in his opinion, unanswerable; but then, in a country which acknowledged in religion the right of private judgment, it seemed to him equally clear that such provision must not be accompanied by conditions which violated those rights of conscience which they were bound by their faith as Protestants to respect. The duty of the State was to provide the best possible system of secular instruction, affording, at the same time, to the friends of the children instructed every facility for combining with such instruction the inculcation of religious truth according to their respective and conscientious views of such truth. He might be told that, in the present state of religious feeling in the country, such a system was impracticable. He did not believe in any such impracticability. There was an immense advance of public opinion since the opposition offered to the scheme proposed by Lord Melbourne's Government in 1839. The public were more aware of the present defective state of popular education, and more alive to the necessity of remedying it. He could not conceive, after the public declarations of opinion by men so eminent as Dr. Hook on the one side, and Dr. Vaughan on the other, why a liberal Government should despair of carrying through some general plan of education, some plan which might comprehend the members of all religious sects, and violate the conscientious feelings of none. He might be told, that those who advocated the voluntary principle, as applied to education, would object to such a scheme equally with the present. A very large portion of opposition at least would be neutralized; of that they might be sure from Dr. Vaughan's letter, recently published; and with regard to the remaining objectors, their strongest ground of reasonable objection would be taken away. They could no longer say, as at present, we object to receive any portion of the grant from the State, because another portion goes to the support of religious opinions of which we conscientiously disapprove. At all events, the advocates of such a scheme would, in encountering opposition, have the enormous advantage of being in the right; at present they were in the wrong. He was convinced that such a scheme was practicable, that it was possible to devise a scheme of national education, which with the best secular instruction, should combine full religious instruction given in its best form, because by its natural teachers. He believed that such a scheme promulgated with the authority of the State, not compulsory, but left to each locality to adopt if they should think fit, would speedily meet with universal acceptance. Until they could have such a scheme, he was firmly persuaded they had better go on as they were. Better trust to the operation of the voluntary principle as it was now working, than sanction by the authority of the State its worst errors, and render difficult—perhaps impossible—the creation of a sounder system. Let them wait for a more auspicious time. Such was his confidence in the ultimate prevalence of truth, that he felt confident of the advent of such a moment. Then a scheme of national education might be successfully brought forward—more worthy of a liberal Government to propose, and of the Legislature to sanction—more worthy of the noble Lord —more worthy of the great name he bore—that name of which his own career was yet destined, perhaps, to form the noblest illustration. For the reasons he had attempted, however imperfectly, to lay before the House, he should, although with deep regret, yet with a full persuasion that he was best doing his duty to his constituents and the public, vote for the Amendment of his hon. Friend.

Sir J. PAKINGTON felt bound to tender his thanks to the Government for the course they had taken with regard to this question, and at the same time to give the measure his unqualified support. He congratulated the Government, also, on the strength of their arguments and the effect of their speeches, which had been such as were seldom found in debates on subjects where there was so much difference of opinion as on this. Why, too, had the speech of the hon. Member for Finsbury been so weak? Why had the hon. and learned Member for Bath been on this question less pointed and attractive than usual? It was because they were both—and the same remark applied to the hon. Member for Durham—arguing in a weak cause. While thus admitting the value of the measure, he must add that there was one objection that had been raised by a part of the Dissenting body which deserved attention. It was complained that much hardship would be sustained by Dissenters in localities where their numbers were limited, who would not directly participate in the grant, but who would yet be excluded from the Church of England schools. It was as an attached member of the Church of England, and as a member of the National Society, as one who would never be a party to aught that would injure the established religion, that he referred to this point. He was deeply impressed with the actual necessities of the country in respect of education, and convinced that the time was come when they must take some steps to meet those necessities. They must approach the question, also, in the spirit of charity. It was quite possible, he was convinced, to take some course that would overcome the difficulties of the case. There was an establishment in this country, with which many Members of that House were no doubt personally acquainted, which afforded a practical example of what might be effected. The system pursued at that school was approved of by the town-council of Birmingham (where it was situated), who were most of them Dissenters. He held in his hand a letter descriptive of that school (written in 1843, but he had no reason to suppose the state of things had since been altered), which he would read to the House:—

"King Edward's School, Birmingham,
April 11, 1843.

"Dear Sir—I take the earliest opportunity to reply to the letter you favoured me with yesterday, and to give such particulars as I am able respecting our plan of education as regards Dissenters. With this I enclose a list of the number of children attending the schools, of Church of England and Dissenting parents, at two periods, of this and the last year:—

"Return of the Number of Children of different Religious Denominations in the Classical, Commercial, and five Elementary Schools on King Edward the Sixth's Foundation in Birmingham:—

	February, 1842.	March, 1843.
Church of England	748	798
Independents	133	107
Wesleyans	116	122
Baptists	60	72
Socinians	38	30
Lady Huntingdon's Chapel	10	8
Roman Catholics	8	4
Swedenborgians	7	6
Presbyterians	6	8
Jews	4	4
Quakers	1	1
Calvinist	0	1
Irvingite	1	0
Plymouth Brethren	1	0
Total	1,133	1,161
Dissenters	385	363

"The numbers were taken as on the day when the census was made. Absence from sickness, and vacancies not filled will explain the inequality of the sums.

"Besides the classical and commercial schools, there are three elementary schools for boys of a lower class, and two for girls, the whole seven containing about 1,200 children. My rules are as follows:—

"1. All are required to attend at the school prayers, which consist of extracts from the liturgy, read to the classical and commercial schools by myself, and to the elementary schools by the master or mistress. The children stand during prayers, as at Rugby and most of our great public schools. No response is required of them, though in the elementary schools many do join. Thus no act is required of the Dissenter except respectful demeanour during the religious service of the school where he is tolerated, while the Church of England child may join in response, if he will.

"2. The religious lessons are placed first in the day. Any child whose parents request leave in writing from me, would be allowed to come to school one hour later on the mornings set apart for religious lessons. No children now request this, except

"3. The Jews, who are further allowed on Saturday to come in at a quarter to 10 o'clock a.m., when their service is over, and not to write (which is work) on that day. I have a paper signed by nine of those who had sons in our school asking to have their great holidays allowed them, about eight or ten days in the year, most of them coinciding with our own. I have also allowed holidays of obligation (very rare) to Roman Catholics.

"Baptists (on leave asked by their friends) are not asked the questions which affect them in the Church catechism.

"5. The boys' schools are also open on Sunday for the regular attendance of those whose parents wish it, when upwards of 300 attend. In the classical and commercial schools the Church catechism is taught on Sunday, in the others on Saturday.

"I may be allowed to state the results of the above system, since I established it in 1838 and the following year:—

"There are no complaints on the part of Dissenters. On the contrary, in the course of a violent opposition to the governors of the school before a Committee of the House of Commons in June last, the town-council (who are mostly Dissenters) instructed their counsel to speak most favourably of the system of the school.

"The governors are all members of the Church of England, and strong supporters of the Establishment. Yet the number of applications for admission to the school from Dissenters as well as Churchmen is very great. Some governors are pledged twelve or fourteen deep, and the examination and admission of candidates for the elementary schools on the first Tuesday in each month generally takes me from three to four hours. The lists of children waiting for admission are generally very full.

"I feel a difficulty in speaking of the working of the system, though it is due to the school to say the tone and morality of the boys are much improved, and the knowledge possessed by the boys of the classical and commercial schools in particular on religious subjects, has generally been the subject of express commendation from the annual examiners, who are usually tutors of colleges in the universities.

"It is with sincere pleasure that I learn from your letter that the measure now before Parliament will have your support. If the measure is rejected, we shall have in a few years to contend with another uneducated generation, increased above the present, not in arithmetical, but geometrical proportion. All I have seen here—and I commenced under much suspicion and distrust—has led me to believe that with care and reasonable concession much may be done. I believe we have gained rather than lost.

"Allow me, Sir, with sincere respect and esteem, to assure you I shall be most happy to contribute by every means in my power of giving information to aid your views, and remain,

"Your faithful and obedient servant,

"JAMES PRINCE LEE.

"John Somerset Pakington, Esq., M.P.

"P.S. In the hurry of writing, I have omitted to add, that many of our boys attend the Sunday schools, both as teachers and otherwise. And I may also state, that last year we had the son of the Wesleyan minister for that year, and now have the son of the Swedenborgian minister, and also a boy attached to the service of the Roman Catholic Cathedral, as it is called, St. Chad's. In respect of prayers, the system before I came here was to allow a Roman Catholic to leave the school before and come in after prayers. To this I objected, and my wish was immediately complied with."

He thought much good would be done if the National Society would make some such concessions as those which had led to the results described in that letter. Those concessions he fully believed might be made not only without injury to the cause of the Church and of religion, but would greatly promote both. He would add, that he had hoped the Government would have attempted to do more, and that an approach to something like a State system of education would have been made by them. But while he was disappointed to some extent with the Government scheme, if they really found difficulties in the way of a more extensive plan, he did not think they could have framed one upon a more judicious or excellent system than that which they now proposed.

Mr. HUME was anxious to express an opinion upon this subject, having devoted for a length of time considerable attention to it. Like the hon. Member who had preceded him, he was much disappointed at the Government measure, inasmuch as he had anticipated, from the address of the noble Lord to his constituents, that he saw the importance of bringing forward a great general comprehensive measure of education, such as was calculated to meet the overwhelming progress crime was making in this country; and he confessed the result of that pledge and promise was far below what, in his opinion, the noble Lord was bound to bring forward. He did hope that those who took a lead in the Church of England, and amongst Dissenters also, would allow a more Christian feeling and an anxiety to concede their scruples, in order best to overtake that great and paramount evil, the ignorance and crime of this country. Early in the Session, he (Mr. Hume) put a question to the noble Lord, asking him whether he would be prepared to bring forward a comprehensive measure of education. The answer to that question was in the affirmative; and now, when he saw them voting 7,000,000*l*. for the Army alone, and that, in furtherance of this great and comprehensive question they were only called upon to vote 100,000*l*., it did appear to him as a reproach that the result of the deliberations of the Government should have been so impotent as it was. The people of this country were, he believed, prepared for a much larger grant; and here he would state, that although he was obliged to differ from the noble Lord, he wished it to be understood that he approved of his statements as to the necessity of a more extended system of education; he differed only as to the extent of the remedy which was proposed. The hon. Member for Nottingham (Mr. Gisborne) made the other evening some very unjust remarks with regard to Scotland. No man who looked back to the history of Scotland as pourtrayed by the right hon. Gentleman the Member for Edinburgh, could doubt for one moment the state of that country prior to the passing of the Act of 1693, which made the land maintain the schoolmaster. The present condition of Scotland proved how well that measure had succeeded, and he wished he could see it applied to this country. He denied the imputations on the moral character of his countrymen which had been thrown out by the hon. Member for Nottingham. There were in every place and in every society bad men and bad habits, and he admitted that many of his countrymen drank excessively, but that was by no means the general rule. The hon. Member for Nottingham had brought forward Mr. Laing as an authority on the Prussian system of education; but the hon. Member mistook Mr. Laing's arguments altogether. There was in Prussia a most complete system of education; and he (Mr. Hume) thought that the principle of Government providing for the education of the people was a correct one. When they considered the numbers who became chargeable on their respective parishes throughout the country in consequence of causes connected with their ignorance, it must appear clearly to be the duty of the Government to take care of the education of the people, and prevent as far as possible the evil effects that resulted from allowing them to remain in a state of ignorance. He did not mean by education merely a knowledge of reading and writing; but he meant a moral training by which men might be taught to keep their passions in subjection. The hon. Member for Nottingham had also said, in alluding to the state of Scotland, that some of its peasants were barbarians; although he did not know how that could be reconciled with the education which the people received, and which was such, according to the hon. Member's own statement, as to enable them to engage in polemical controversies. He thought that Prussia had been brought forward in a manner which was not favourable to the arguments of the hon. Member; for in Prussia every man could read and write, so great was the spread of education; and the Government of Prussia invariably refused to employ any man, even as a labourer, who did not possess a certain amount of education; and the effect of that improved and extended instruction was a great decrease of crime throughout the country. He would ask hon. Members to consider what effects such a system would produce upon parents in this country by inducing them to send their sons to school. The effects which such a system would produce must be manifest upon a moment's consideration; but he would remark that without any such inducement, he had seldom, in this country, met with parents who were not desirous that their children should be educated. The laxity of morals amongst certain classes in Prussia had been spoken of as if it had some necessary connexion with education; but he would remark that in the United States, where education was widely diffused, the morality was very high, and the females were remarkable for the purity and virtue of their lives. He did not think, therefore, that the hon. Member for Nottingham was justified in disparaging the exertions of the State in encouraging education on account of any laxity of morals in Prussia. The effect of education in Prussia was, that the state of crime was much influenced by it; and if he (Mr. Hume) had the statistics by him, he could show to the House that crime was greatly diminished in Prussia; and if the liberal institutions, the establishment of which was lately commenced in that country, were properly carried out, it would be seen that education would produce the most advantageous results in combination with such institutions. In Great Britain, the spread of education had reduced crime by thirty-two per cent in some cases, as it appeared from the statistics of the last three years, whilst there was a proportionate increase of crime in those districts where ignorance prevailed. Mr. Leeson, a very able actuary in this metropolis, had shown that where ignorance prevailed, crime also prevailed in the same ratio. Mr. Laing, in speaking of the efforts of the Prussian Government in encouraging education, said truly, that the British Government adopted a wise and excellent educational scheme in introducing the penny postage system, by which it no longer cost a man a day's wages to pay the pestage of a letter, and which afforded to all persons such palpable proofs of the advantages of education. He would ask, however, of what use was the penny postage to those who could neither read nor write? The noble Lord at the head of the Woods and Forests had stated that the question of Government interference with education was beset with difficulties. It might be so beset; but did that constitute a reason why we should be the only people in Europe who did not benefit by experience of the advantages of education? Were we to be debarred on that account from that extended system of education which had been found so beneficial in the United States and other countries? What he wanted to see was education given to the people as a right, not as a concession. He admitted the difficulties which the Government had to contend with; but, after the declaration of the noble Lord at the head of the Government to his constituents in London, he thought the noble Lord was, to use a common word, skulking. He was retiring: and who was he retiring from? Retiring from the Bishops. Let the Bishops come in all their robes, and he cared not a pin for them as long as they were opposed to what he would say was the right of all Englishmen, namely, the right of fair play. Let them understand that the Church was opposed to them, if the Church was really opposed to the proposition. There was another set men who were almost as bad as the Bishops, namely, the Dissenters, who were trying to dragoon men into the adoption of their opinions. But he would take the Church and the Dissenters together; and he would let them appoint the best of the Bishops, and the best men amongst the Dissenters, to state their objections and their code of morality before a Committee of the House; and he had no doubt they would be very easily answered as regarded their objections to an extended system of education. For his part he held that the best step towards sound religion was a good education, and he was ready to oppose and answer the absurd propositions of Mr. Baines; but on that occasion he did not wish to take up too much of the time of the House. He would, with respect to this matter, put the Bishops and the Dissenters in the same boat, and send them across the Channel. There might be difficulties in the way of Government in this matter; but many things were difficult to cowards which were not difficult to the courageous. Men ought to be bold in such a cause. Let the Government come forward and tell the House what they thought would be the best system—what ought to be done, and how it ought to be done. How could it be supposed that the difficulties of different religious creeds could not be surmounted in this country as well as in Holland? In Dublin no inconvenience or evil result had followed from having children of different religious creeds in the same schools. Let a Committee be appointed to inquire into the whole question. That was a course for which there was ample precedent. But the fact was that it was impossible to mix up a religious and secular education. He would be allowed to revert to two instances in point. Up to 1806, after the French Revolution, when the kingdom of Holland was subject to France, the combined system of education, religious and secular, had been attempted to be practised in the former country. In 1806, however, the French Government seeing the impracticability of the plan, changed it, confining the teaching in schools to secular education alone. The heads of the Church in Ireland accepted the alteration with the utmost readiness, and complete success crowned the experiment. Why, then, would they persist in forcing schoolmasters to do the work of clergymen? The duties of the two were perfectly distinct. Let them have school education from schoolmasters, and religious teaching from clergymen. The hon. Gentleman proceeded to refer to the Fourteenth Report of the Commissioners of Education in Ireland, to show how in the opinion of these gentlemen, it was impossible satisfactorily to mix up religious and secular education, and how great was the advantage of having schools in which no attempt should be made to influence the religious opinions of the children. A system of education grounded upon the recommendations in that report had been adopted in Ireland, and had met with the most perfect success. Why should not the same system be introduced here? He held that those sectarians who went about fanning the flames of religious discord, and putting down all attempts to educate the people, were the cause of three-fourths of the crime and misery arising from popular ignorance around them. Let a proper liberal system be once established, and he should be prepared, instead of voting 100,000*l.*, to vote 500,000*l.*, for its support, No price could be too great to pay for the advantages of education. The present state of things required a greater and more comprehensive measure than that which Government had brought forward. A Committee was what was required, and for its appointment he would vote. He contended, too, that we ought to have a Minister of Education, and under him a board composed of representatives of all the great religious parties in the community. Let every parish be assessed, as was the case in other countries, to set the necessary machinery in motion. He wished to be understood as not passing any reflection on Ministers, but he did wish to record his opinion that their measure was not ample enough; and did not aim at getting rid of difficulties which had been successfully encountered in other countries.

Sir W. JAMES expressed his intention of supporting the project of Her Majesty's Government. This course he took after much hesitation, acknowledging the difficulties of the subject. He gave his support to the project, because, as had been remarked by a right rev. Prelate out of doors, it appeared to him that the country had arrived at a crisis when it was imperative that something should be done on this great and important subject. He certainly thought that it was the imperative duty of the State to interfere on this subject; for was it not lamentable to reflect that out of every 100 persons in England, only about thirty or forty were able to read, and not less than 800,000 or 1,000,000 of children were running about the streets neglected, some of them being brought up to rapine as to a profession? He gave his support to the Government measure, not because he thought it perfect in itself, but because he thought that on the whole it was the best that could be obtained, and because on the whole public opinion preponderated in its favour. He, nevertheless, felt that he was met by preliminary difficulties. He felt that he was taxing the whole of the people for that in which only a portion could participate. Besides, there was this objection to this supplementary measure in aid of the voluntary system: If a squire residing in the south of England desired to erect a school, he would write to the Council of Education, and state that he was ready to give perhaps 300*l.* for the object if the Government would give their customary aid; and he would accordingly receive an answer to the effect that, under those circumstances, the Council of Education would be most happy to give the grant. But in a colliery village, in the north of England, there might not be the means of collecting any sum to enable the people to apply to the Council of Education, and the population there would consequently be left without education, though they might require it more, and though they might pay more to the Exchequer, in the consumption of excisable articles and in taxes, than the population of the place in the south of England, where the squire came forward with his subscription of 300*l.* He, therefore, thought that if the House adopted the present measure, it would be necessary to add to it some further provision for such places. There were three schemes for educating the people, the voluntary system, of which the hon. Member for Nottingham (Mr. Gisborne) was an advocate; the compulsory system, with respect to which he believed that the hon. Member for Montrose was the only person who had advocated it in that House; and the proposed scheme, which came in aid of the voluntary system; and he thought that the Government had taken the best course in deciding to assist voluntary efforts. But where there were no voluntary efforts, he was at a loss to know what system could be adopted, unless they came to a system of a somewhat more secular character. This principle had been recognised by the House already most distinctly in the Bill brought in by the right hon. Member for Dorchester, which was characterized by the hon. Baronet the Member for Oxford University as establishing a godless system of education, and which provided that separate apartments should be set apart wherein the different ministers of religion might give religious instruction to the children. He should be glad to see nothing but education by the Church, in consequence of the people being all united to the Church; but as that was not the case, they must deal with circumstances as they found them; and he agreed with the noble Lord the Member for Arundel, who spoke the other night so much to his credit, in his unwillingness to be like the dog in the manger; and, because he could not give that kind of instruction which he preferred to all, he would not say that secular instruction, in itself, was an evil rather than a good. Though he did not attach so much importance to it as some people did, he believed it to be, on the whole, an incomparably greater good than evil; and he should be glad to afford it, under the circumstances he had mentioned, to his countrymen. He regretted that the Government had not either postponed this question to a new Parliament, or brought forward a measure having more stability of purpose and comprehensiveness about it. He unfeignedly regretted the exclusion of the Roman Catholics from the benefit of the measure; and he felt that that exclusion cast a stigma on the whole of their present proceedings. He regretted that the Ministry in the outset had not taken a more resolute course. He was glad to hear the noble Lord at the head of the Government, the noble Lord at the head of the Woods and Forests, and the Secretary for the Home Department, abjure, as it were, their own measure, observing that they could not sit as members of a board for any length of time which should exclude the claims of the Roman Catholics. During the present century, they had removed the Roman Catholic disabilities; yet it was impossible to deny that the proposed scheme, as far as the Roman Catholics were concerned, did, by excluding them, create a new Roman Catholic disability. He had heard with regret the speech of the hon. Member for Durham (Mr. Bright) the other night, directed as it was much more against the Church and the aristocracy than anything else. Such a course was unfair on the part of an hon. Gentleman who had attained to a certain extent a position in the country; and considering he looked forward with almost a certainty of success to be the representative of the great town of Manchester, and remembering who was his opponent there, for him to come forward and stigmatize the aristocracy of this country as "a privileged class," was below what was to be expected from him. The hon. Member ought to have had some pride in the land of his birth, and the constitution under which we live—a constitution constantly infusing fresh blood into that aristocracy; while hon. Members were found making their way to that House, and describing themselves as coming from the lowest ranks of the people, such as the hon. Member for Stockport and the hon. Member for Durham himself. The hon. Member ought to have had a pride in the constitution of his country, and not so have stigmatized the class in question as "privileged." The hon. Member for Nottingham (Mr. Gisborne) had taken occasion also to attack the Church of England; and then with a singular infelicity alluded to the people of Scotland as inferior to the people of England in moral habits and moral training, though superior to them in education. In doing so, he bore unconsciously a very strong testimony to that old English faith and to those old English habits which were so valuable to us, and which had grown up with us. Whatever the House might do upon the subject of this measure, he (Sir W. James) trusted we should never fall into a mere system of school teaching, nor abandon those old English habits of which he would say, long may they be—as they long had been—as, in spite of many failings in this age, he trusted they still were—the pride of our common country.

Sir JOHN EASTHOPE expressed the extreme pain which he felt at the indefensible exclusion of the Roman Catholics from all participation in the grant which was to be distributed under the Minutes of the Privy Council. He had heard nobody who had spoken on that subject in the House, but who appeared to be actuated by the same feelings; and it was impossible to imagine any distinction between the Roman Catholics and the other classes of the community which did not give the former an equal claim. No one could look at the children of the poor Roman Catholics, who did not perceive that if there were a difference, they were distinguished by being the poorest, the most destitute, and the most exposed to all the vices and all the crimes which were generally the accompaniments of ignorance in this country; and what, he would ask, was there that could justify, under these circumstances, that these children should be selected to be without the benefits of instruction? He could not, therefore, but express the deepest feelings of regret that Her Majesty's Government —whom he had so long supported, and whom he had long been accustomed to admire—should, in deference to expediency, to bigotry, and party feeling, have submitted to what they must have felt to be a degradation. Who could say but that this demand for exclusion was unjust? And if it was unjust, what was necessary to subdue it, but to resist it? He could not therefore but feel the force of what every Member in the House who had spoken on the subject had said—namely, that there was no occasion for the exclusion of Roman Catholic children from the benefits of the grant. He should however, notwithstanding, give his vote for this measure of the Government, because he would not consent to brave any longer the perils of prolonging ignorance. He should vote for it, because he felt that the greatest national misfortunes would arise from prolonging the present state of things. No one could be more deeply sensible than he was that it was as much the duty of the State to provide for the instruction of the people as to punish the excesses and crimes of delinquents; and if so, it was surely better to prevent crime by instruction, than to punish it as the result of neglect. All must now feel that it was to improved education that we must apply ourselves for the mitigation of the evils which now pressed upon the country. This subject was forced upon us by a thousand considerations. We had too long, without due consideration, sent from our shores criminals to populate countries which had ill deserved such treatment at our hands; but this evil had now come back upon us, and we must consider what otherwise could be done with convicts. We had to reflect upon the evils which had been occasioned to our colonial empire by a course of proceeding which it was impossible to justify. It was also on that account become important to inquire into the causes of crime, in order to lessen its amount. But he felt that it was needless and almost impertinent in him to detain the House on these topics, as he chiefly rose to express the deep pain he felt at the compromise—the unfortunate compromise —between the Wesleyans and the Government. He believed that there were some objections to the measure in other respects; and he could not but think that it would have been even better for the Government to have delayed bringing it forward for a few months, until they could have framed some clear, comprehensive, and definite plan, which, by its integrity, impartiality, and usefulness, would have appealed to the plain good sense and honest feelings of the community, and thus have enabled them, as a Government, to carry their measure against the prejudices and bigotry of party. He confessed he did not view with much apprehension the influence which was likely to be exerted by the Established Church. He knew that the clergy of the Church of England would have a considerable share in the regulation and patronage of these schools; and so they ought to have, for he felt that they had of late greatly increased their claims upon the regard and the affections of the country. Every one who remembered what the clergy were thirty or forty years ago, and observed what they were now, must view with vastly diminished apprehensions the prospect of their ascendancy in the rural districts. At the same time, no one could but feel the great disadvantages under which the children of the Dissenters in these districts must labour; and he thought that the Government must be convinced that great efforts ought to be made to prevent the continuance of those disadvantages. He (Sir John Easthope) belonged himself to the Church of England; he delighted in her communion, and he saw her clergy fulfilling the duties of their high vocation with that purity and devotion which gave them the best title to respect and influence. But who that lived in a village, and saw ten or a dozen children of Dissenters excluded from the benefits of a State education, because their parents happened to be conscientious, but must lament such a state of things? He thought this was an evil which must at once be admitted, and deplored by the noble Lord. There was another part of the measure which was in his opinion objectionable—that which required different inspectors to be travelling over the country. He could hardly believe that any one could doubt that it would greatly add to the efficiency and practical advantages of the measure if the inspectors were the same for all the schools. But the Wesleyans were allowed to choose their own inspectors; other denominations would demand the same right; and to the Church the right of having inspectors of its own must of course be conceded. Why should that be? Yet such, in fact, must be the state of things under the proposed measure. Well, then, he must say that, strongly as he felt the necessity of an improved education for the people, he should have preferred to have seen the Government, instead of the present defective scheme, even at the expense of some short delay, submit to Parliament a just and comprehensive measure, which, in its integrity, appealed to the good feeling and understanding of the people, on which reliance might be placed to overbear the objections of those who would never be satisfied with anything short of the predominance of their own sectarian interests. In deference to the great principle at issue, he should support this measure, though he did so with considerable pain, from the incomplete manner in which it was submitted to the consideration of Parliament. He could not conclude the few observations which he thought it his duty to make, without referring to the speech of the noble Member for Arundel (the Earl of Surrey), which did him so much honour. Earnestly did he hope that the Wesleyan denomination would ponder over the sentiments of that noble Lord, who was the honourable and honoured representative of the religious community to which he belonged, and learn from that speech a practical lesson of Christian charity. There was no man in that House more decidedly, conscientiously, and determinedly opposed to the noble Lord in his religious opinions than he was; but whilst he honestly entertained that difference of opinion, he honoured him for the manliness and loved him for the charity of his views—a declaration which he should not hesitate to make, if the consequence should be to consign him to privacy until the end of his life.

MR. S. CRAWFORD: It was his intention to vote for the Amendment of his hon. Friend the Member for Finsbury; and though some hon. Members dissented from the latter part of the resolution, he felt bound to state his concurrence in it. Whilst he gave his vote, he felt as convinced as any hon. Member of the necessity of education for the people. He thought education the foundation of every good. He also assented to the interference by the State with the education of the people; but he thought, if it did interfere, it should do so in such a manner as that the education which it supplied should be equally useful to all. He felt bound to say, that the plan which the Government had submitted was a violation of the rights of the people; for he maintained, that if a sum for the education of the people was drawn from every part of the community, all had a right to derive equal benefit from it. He did not see why the principle of the system of national education, which had worked so well in Ireland, should not be here adopted. It was a rule in those schools that half an hour before, and half an hour after literary instruction, the children should receive religious instruction. There were now about 500,000 children receiving instruction under that system. It had, in the first instance, been opposed by certain classes of the clergy, Roman Catholic, Presbyterian, and Protestant. It had to contend with the opposition of all the sectarians; but when the Government showed itself resolute, all the sections of the three religions were obliged to give way, and accept the aid of the Government. He thought the advantages of mixed education were undeniable. It instilled into the minds of the young feelings of kindness and good-will, which were kept up in more advanced age; but such an education, to be useful, must be open to all on the same terms. The exclusion of the Roman Catholics under this Bill was most unworthy of a Government which was founded on and had always avowed liberal principles. It always gave him pain to disagree with the present Government; but he felt it an imperative duty to state his condemnation of the view which they appeared to take of the present question. He had heard the speech of the noble Member for Arundel, and though he gave it every praise, as emanating from kindness of heart, he could not express his approbation of the course which the noble Lord stated his determination to adopt. That the son of the premier Peer of England, the leader of the Catholics, should submit to such an insult as was offered to the Catholics by those Minutes, seemed to him extraordinary. The people of England would not be obliged to the Catholic body for submitting to an invasion of their rights, and a consequent surrender of the principle of civil and religious liberty. The people of England would respect them more if they stood up manfully for their rights, and insisted that no expenditure for public education should take place if they did not receive the share to which they were fairly entitled. It had been supposed that the exclusion of the Catholics from the benefits of the grant had been the result of the representations made by the Wesleyans; and the resolutions of that body which he had seen, afforded some ground for that supposition. But he could take on himself to say, that the Wesleyans of the town which he represented were no parties to this compromise of principle on the part of Government; for he had presented several petitions from that body which breathed the truest sentiments of religious liberty. Such a departure from principle as that exhibited by Government, was inconsistent with their whole history as a party; and he greatly feared it would lead to evils which it was impossible to foresee. He opposed this grant, because he desired to see the Catholics placed on equality with their fellow-subjects, and that neither Catholics, nor any other religious community, should have a preponderance of power. He should rejoice to see his own Church extending its influence through the legitimate means of purity and morality, but not by wielding power in a way inconsistent with the rights and religious liberties of others.

Sir WILLIAM MOLESWORTH: Sir, I have given notice of a Motion with regard to the subject before us; and before I sit down I mean to call the attention of the House more particularly to the object of that notice. But first, let me state that I agree with many of the opinions of the hon. Member for Montrose, and of the hon. Baronet the Member for the Tower Hamlets; I agree with the hon. Baronet, that a system of national education, in which secular instruction alone should be given, without reference to any religious instruction, would be far preferable to any other system of national education. But I fear that at the present moment, and in the present state of public opinion, such a system would be impracticable. I take it for granted that on the hon. Baronet's Motion we shall be in a small minority; I think, however, the time will arrive when his opinions on this subject will receive the sanction of the majority of the people of this country. The Motion of the hon. Gentleman the Member for Finsbury is simply for a Committee to inquire whether the measure of the Government be expedient or not. I think the House has no need of further information on that subject, and that the House is perfectly competent to come to a decision upon it without the assistance of a Committee of Inquiry. And the hon. Gentleman entirely failed in showing any reasons for such an inquiry. It is, I believe, agreed to take the discussion on the Government scheme for education on the present Motion. With regard to that scheme, there are several important questions:—1st. Whether the State should or should not interfere in the education of the people. 2nd. If it should interfere, in what manner and to what extent. 3rd. Whether the Government measure is the best possible under existing circumstances, or sufficiently good to induce the House not to reject it. With regard to the first question, whatever may be the opinions of some very respectable persons out of doors, only two hon. Members have opposed on principle any interference of the State in the education of the people. First, the hon. Gentleman the Member for Nottingham opposed it. Secondly, the hon. Member for Durham. The hon. Gentleman the Member for Montrose has refuted the paradoxes of the former; the right hon. Baronet the Member for Devonport has disposed of the arguments of the latter. The State ought not to interfere with the education of the people! I ask why not? Is the education of the people a matter of no importance to the community? Is it, therefore, unworthy of the consideration of the State? Let me ask, what should be the end and aim of every Government which deserves the name of a Government? I answer, the object of a Government should be not merely to coerce its subjects to obedience by brute force and painful punishments, but to make them good men, good citizens, industrious members of society, and willingly obedient to the law. For this purpose the people must be instructed at least in the elements of physical knowledge; they should be taught the difference between right and wrong, and their minds should be framed and fashioned to virtue. The education of the people is therefore a matter of primary importance to the State; it is the highest duty of a State. Such were the opinions of the great thinkers of ancient times—of Socrates, Plato, and Aristotle; and whatever progress we may have since made in physical science and the arts of life, I doubt much whether, in politics and ethics, we have gone beyond those first of men. And these doubts are strengthened when I hear hon. Gentlemen almost affirming that the State has no nobler nor higher functions than those of a tax-gatherer, a policeman, a gaoler, and an executioner. But even suppose that the main duties of a State consist in levying money, and in preventing and punishing crime—in order to perform those duties easily and well, it is of importance to a State that its subjects should be instructed and educated; for the more instructed a people are, the wealthier they are likely to become; the more educated a people are, the fewer crimes they are likely to commit—for ignorance and the want of moral education are the prolific sources of poverty, and of the crimes which abound in this country. Sir, we are almost at our wit's end for the means of checking crime. I presume to speak with some authority upon this subject, having been the chairman of a Committee of the House appointed to inquire into the effects of certain punishments—having, therefore, had both the time and the opportunity to study the causes of crime, and the means of preventing and punishing crime—I repeat, we are almost at our wit's end for the means of checking crime. We must immediately reform our whole penal system, build new gaols and penitentiaries, and expend enormous sums on the punishment of offenders. The most imperious necessity requires that all this should be done with the smallest possible delay, and the Government have undertaken the task. I feel, however, persuaded that though good gaols, good gaolers, and a good system of punishment may tend to stop the progress of crime, yet, without good schools, good schoolmasters, and a good system of education, the State can never hope successfully to combat crime, or to diminish its amount. No one objects to State interference and State expenditure for the punishment of crime. Why, then, object to State interference and State expenditure for the purpose of preventing crime, by raising the moral and intellectual character of the people? In many other matters of less importance to the State than education, no one objects to State interference and State expenditure. For instance, no one objects to a poor law at the expense of the community; the object of that law is to save the poorer classes from the evil of perishing by hunger, or subsisting by crime. No one objects to sanitary regulations at the cost of the State, the object of which regulations is to preserve the poor from pestilence. But worse than hunger, worse than pestilence, is the mental disease of ignorance. The State is bound to attempt to apply a remedy to that disease. But to listen to some hon. Gentlemen, one would suppose that the State would thereby endanger the dearest rights and liberties of the subject, whilst the only liberty which would be endangered would be the liberty of being ignorant. And that liberty I consider the State should, as far as possible, refuse to every one of its subjects. I maintain, therefore, that the education of the people is a matter of primary importance to the State. And the State is bound to interfere, unless it can be clearly and distinctly proved that a large portion of the people could be educated, and would be better educated, without than with the assistance of the State. Now, I challenge the opponents of State interference to the proof of this position. Can they deny the fact that a large portion of the poorer classes are lamentably ignorant, that hundreds and hundreds of thousands of men are too poor to provide for the education of their children? Are these children to be educated or not? If educated, at whose expense? Not, say the opponents of State interference, by the aid of the State: then by charity? But it is evident that a system of education which depends entirely upon alms must be a most imperfect one; for under such a system there can be no systematic training of schoolmasters, no general adoption of the latest and most improved methods of instruction, no constant inspection and regulating superintendence; one school may be good, another bad, a third indifferent, according to the character, notions, or fancy of the chief or most active contributors. Under such a system, the means of education depend not upon the wants of the people in a particular locality, but upon the wealth and benevolence of the contributors. In the richest districts, the most assistance will be given: in the poorest places, where assistance is most needed, it will be least afforded. Can the opponents of State interference deny the correctness of these positions? Can they deny that the schools for the poor are comparatively few, defective, and generally burdened with debt? that the instruction given in most of them is of little or no value? that the schoolmasters in the majority of cases are inefficient, unfit for active exertion, decrepid in body, feeble in mind, accepting the sacred office of instructor of youth as the last sad resource against penury or a poorhouse? Can they deny that the inspection of schools is, except in a few instances, nominal? that the funds arising from voluntary contributions are generally insufficient, depending upon the accidental charity of individuals, which in many cases can only be obtained by frequent urgent and almost degrading solicitations — by the tricks and devices of bazaars, fancy fairs, and the like—things unobjectionable in themselves, but miserable substitutes for the assistance of a State? Till within the last few months, none were louder in their complaints of the want of the means of educating the people, than some of the present opponents of the interference of the State. Now, they affirm that the voluntary contributions for this purpose are increasing, and will at some indefinite period be sufficient. But, I ask, when are we to expect this millennium of charity? How long are the people to wait for it? How many generations of ignorance are to pass away, vainly hoping to obtain as a boon from reluctant private charity that which it is the duty and the interest of the State to bestow? But suppose, for a moment, that a system of education which depends upon voluntary contributions could be as extensive and as perfect as a system of education under the constant and watchful superintendence of the State, which should the poorer classes prefer? Would they prefer that their children should be educated by the aid of private charity, or by the assistance of the State? I may not be well acquainted with the feelings of the working classes; I may be ignorant of the sentiments of the labouring millions; but if I were one of that class, and too poor to pay for the education of my children, I think I should consider it more consistent with my feelings of independence and self-respect to be indebted to the State of which I am a subject, and to whose support I should contribute, at least indirectly, by the labour of my hands and in the sweat of my brow—I would rather claim the education of my children as my right as a citizen—I would rather demand it for the benefit of the community of which I am a member, than owe it to the uncertain bounty of my richer fellow-citizens, and receive it from them as a boon and a favour. And I feel persuaded that these are the sentiments of a large portion of the working classes, and will ultimately become the sentiments of the majority. They have a right to complain of the past neglect of the State—that the State, instead of caring and providing for their education, has left it to casual charity; and they may point to their ignorance as the greatest disgrace and reproach to this mighty and powerful empire. Who are to blame? I do not hesitate to assert that the persons to blame are neither the statesmen of this country, nor the Members of either House of Parliament, nor the Governments, either Whig or Tory, but the electoral body out of doors, some of whom fancy that in every measure for the education of the people some concealed project lies hid for the predominance of one or other religious sect; and in this narrow and perpetual conflict of contending creeds, each striving to gain or fearing to lose some petty paltry advantage, the interests of the people are sacrificed, and the ignorant millions remain uneducated, and will continue uneducated, until the State performs its duty towards them, by establishing a comprehensive system of national education. The next question is, to what extent, and in what manner, should the State interfere with the education of the people? In my opinion, the State should interfere at least to such an extent that no child should, on account of the poverty of its parents, be unable to acquire the elements of moral and intellectual education; for ignorance and the want of moral education, combined with poverty, are the antecedents of crime. Secondly, in my opinion, the State should interfere in such a manner as to procure for the people the best possible moral and intellectual education, without indicating a preference for any religious sect; for the better the people are educated, the better citizens they will become; and who, I ask, will dare to deny that, if they be well educated, they will be equally good citizens, to whatever sect, creed, or denomination they may belong? Therefore, whether they be Catholics or Protestants, Churchmen or Dissenters, it is a matter in which the State has no concern, and in which it ought not to interfere. Now, there are three modes in which it has been proposed that the State should contribute to the education of the people, without marking a preference for any form of religious belief. First, that the State should establish or contribute to the support of schools in which secular education alone should be given, without reference to religious instruction. A measure of this description would, in my opinion, be far preferable to any other; and I shall, in consequence, vote for the Motion of my hon. Friend the Member for the Tower Hamlets, which has for its object the secular education of the people alone. Secondly, it has been proposed that the State should contribute to the support of schools in which secular education should be combined with general religious instruction, without reference to the specific dogmata of the various sects. In 1839 and 1843, an attempt was made by the Government of the day to establish normal and other schools of this description. That attempt failed in one instance, through the opposition of the Church of England; in the other instance chiefly through the opposition of the various denominations of Dissenters. Thirdly, it has been proposed that the State should contribute indiscriminately to the schools of every religious sect, on conditions that shall have reference solely to the quantity and quality of the instruction which shall be given in those schools. In my opinion, this is the least preferable of the three measures for the education of the people, to which I have referred; but perhaps it is the most practicable one at present. Now, it is pretended that the measure of the Government, as contained in the Minutes of the Committee of Council, is a measure of this description. Is it so? Sir, two objections have been raised to the measure of the Government. First, it is said that the measure is not a fair one, because there are certain classes of Dissenters who cannot conscientiously accept assistance from the State for purposes of education, and, therefore, the measure of the Government would place them in a disadvantageous position as compared with their rivals. This would be an objection to most of the schemes of national education which have been proposed. I do not consider it a valid one. I respect the conscientious convictions of those persons. I acknowledge that they are bound to act in accordance with them. But to insist that those convictions should be the rule for the conduct of the State, and of the great majority of the community, is simply intolerance. Let me put what appears to me to be a parallel case. It sometimes happens, that in portions of our Indian possessions the people are in danger of perishing from a failure of the rice crops; and I have heard that at times the Government has attempted to relieve their wants by supplies of animal food; but it is known that many of the Indians have religious objections to eating meat; they refuse the assistance of the Government, and perish. Now, I ask, would those persons have a right to demand that no meat should be given to their fellow-citizens, of different religious beliefs? Would the Government be bound to accede to that demand, and leave the Mahomedan to starve, because the Hindoo would not eat meat? Now, what meat is to the body, education is to the mind of man—a nourishing and sustaining food: and I cannot consent that the vast majority of the people of this country should hunger and thirst in vain after knowledge, because some persons are unwilling to receive it at the hands of the State. The second objection to the measure of the Government is a very grave one, namely, that Catholic schools will be excluded from participating in the proposed grant of public money, because public money is not to be given to any schools in which the authorized version of the Scriptures is not employed. Till within the last few days a great number of persons, myself included, had no notion that any sect was to be excluded from participating in the proposed grant of public money. And we were fully justified in coming to that conclusion. In the Minutes of the Committee of the Privy Council on Education of last year, there is nothing whatever to exclude Roman Catholic schools. In those Minutes a distinction is drawn between Church of England schools and what are termed "other schools." In Church of England schools there is to be an examination in the Holy Scriptures, liturgy, and catechism of the Church of England. In other schools no religious examination of any kind, sort, or description, is required. According to the express words of the Minutes, to which I beg the attention of the House, "In other schools the managers will certify that they are satisfied with the state of religious knowledge." There is evidently nothing in these words either directly or indirectly to exclude Roman Catholics. A pamphlet termed, *The School in its Relation to the Church*, has been sent by the Government to every Member of this

House. It is therefore to be considered as an authorized version of the Government measure; I acknowledge I accepted it as such, and I formed my judgment accordingly. In that pamphlet there is no allusion whatever to the intended exclusion of the Catholics. The Government measure is described as founded upon the principle of aiding voluntary exertions by grants of public money. It is distinctly intimated that the Committee on Education will not confine their aid to schools connected with the National and British and Foreign Societies, but will extend it to other schools; and no intimation whatever is given, that among those other schools Catholic schools are not included. It is true that reference is made to the Minutes of the 3rd December, 1839, as determining to what schools, besides those connected with the two societies, aid may be given. Now what does that Minute require as the condition of a grant to any school—I mean with reference to religion? First, it requires that the Committee shall be informed "whether the Bible or Testament will be required to be daily read in those schools." But the Committee do not require that the Bible or the Testament should be read. They make no specific reference to the authorized version of the Scriptures. They do not require the use of the whole of the authorized version of the Scriptures; but they merely require—I request the House to mark the words—"the daily reading of a portion of the Scriptures." Now, there is nothing in this condition which necessarily excludes Roman Catholic schools. Scripture extracts, that is, a portion of the Scriptures, are used in the National schools in Ireland, with the sanction of the Roman Catholic ecclesiastical authorities, and in schools connected with the British and Foreign Society. If the condition had been, that the whole of the authorized version of the Scriptures should be used in schools receiving aid from the Committee on Education, that condition would, without the slightest doubt, have excluded Roman Catholic schools. I cannot believe that an interpretation, which would necessarily exclude Roman Catholic schools, could have been put upon the Minutes of the 3rd December, 1839, till after the 5th February last. On that day a letter was written by Mr. Kay Shuttleworth, at the direction of the Lord President of the Council, to Mr. Charles Langdale. Mr. Langdale had claimed that Roman Catholic schools should participate in the Parliamentary grant for the promotion of education in Great Britain. Now what was the answer of the Lord President of the Council? Was it the answer of a nobleman who considered that Roman Catholic schools were necessarily excluded from participating in that grant? The answer was this—that his Lordship would

—"bring under consideration of the Committee of Council on Education, any application which may be made for assistance towards the erection of Roman Catholic schools, as well as any other schools. Their Lordships would determine whether, under their present Minutes, they can grant such assistance?"

Now, was this the answer of a person who considered that their Lordships were, under their present Minutes, precluded from granting such assistance? Certainly not. If the noble Lord had been aware of the fact that Roman Catholic schools were necessarily excluded by the Minutes of the 3rd December, 1839, he would have made Mr. Langdale acquainted with it, and not allowed Mr. Langdale to entertain unfounded hopes. I am, therefore, justified in coming to the conclusion, that this interpretation was not put upon the Minutes of 1839 till some period subsequent to the 5th of February last. Now, was there any cause for this new interpretation? I am bound to say, after the explanation on Monday last, of the noble Lord the Member for the city of London, that a belief prevailed both among persons in this House and out of it—very distressing to those who like myself were anxious to support a measure in any way calculated to improve the education of the people—a belief prevailed that the interpretation so unfavourable to the claims of the Roman Catholics had been put upon the Minutes of Council of 1839, in consequence of the communication which had taken place between Lord Ashley and the noble Lord the Member for London, with reference to the Wesleyans; and this belief is confirmed by the publication of the correspondence which has taken place between the united Wesleyan Committees and the Lord President of the Council. From that correspondence it appears, that in consequence of communications with Lord Ashley, the Wesleyan Committees addressed, on the 6th of April, to the Lord President of the Council, certain resolutions with regard to the scheme of the Government, in which they state—

"That in this Christian and Protestant country the sanction and support of the State should be afforded exclusively to schools in which the Holy

Scriptures, in the authorized version alone, are received and daily read. That the Minutes of the Council, as generally understood, contain no restrictive provision to secure this important principle, and therefore that they are open to decided objection on the ground that they will both directly stimulate and authoritatively sanction the dissemination of Popish and other antichristian errors."

In the letter explanatory of these resolutions the Committees state, that—

> "A friendly communication had been made to them by an esteemed nobleman, who felt himself authorized to convey to them, on the part of the Committee of Council, a distinct intimation that it was not impossible that, on a frank statement of their objections, some of the most weighty of them might be met in a conciliatory spirit by the Committee of the Privy Council."

With regard to that communication they

> —"beg respectfully to inquire whether the Lords' Committee of Council are prepared to adopt and confirm the explanations contained in the communications referred to?"

They state, that it had been intimated to them—

> "That the Minutes of 1839 and 1846 were to be construed together, and that under those Minutes their Lordships had always intended that the authorized version of the Scriptures, in all its integrity, should be required to be used in schools as a condition of assistance."

In reply to this letter of the Wesleyan Committee, the Lord President compliments them—

> "On the liberal disposition and readiness they had manifested to co-operate effectively in the object they all had in view—the advancement of general education on sound and religious principles."

I wonder whether the Committees felt the biting sarcasm contained in those words, or took them *bonâ fide*. In an official letter of the same date, from the Secretary of the Committee of Council, the Committees were informed that it was intended by the Minutes of 1846 to rescind a portion of the Minutes of 1839, but not that portion which requires that "the daily reading of a portion of the Scriptures shall form part of the instruction in schools" which receive grants of money. And it is stated that—

> "It had always been intended by the Committee of Council that these words should be understood as requiring that the entire Bible, in the authorized version, should be required to be in use in schools aided by public grants, so far as such a condition did not interfere with the constitution of the schools of the British and Foreign School Society, which constitution includes the use of the Holy Scriptures or extracts therefrom."

Therefore the last authorized version of the words "portions of the Scriptures" is, that they mean the whole of the Bible where Catholics are concerned—extracts from the Scriptures where the British and Foreign School Society is concerned. The Committees accepted this explanation, and withdrew their opposition to the Government measure. I must recall the attention of the House to the letter of the Lord President, of the 5th of February, to Mr. C. Langdale. In that letter no allusion is made to the necessity of using the authorized version of the Scriptures. There was another letter, to a similar effect, on the 18th of February; then the correspondence ceased for two months. During that period the transaction with the Wesleyans took place; it was concluded on the 16th of April, by the withdrawal on the part of the Wesleyans of their opposition to the Government measure. On the same day, the Lord President, through his Secretary, informed Mr. Langdale, that by the regulations contained in the Minutes of Council of December 3, 1839, "that the daily reading of a portion of Scriptures should form part of the instruction in the schools aided by public grants," it was intended that the authorized version of the Scriptures should be used. Why was this regulation prohibiting Roman Catholics not discovered before? I will not make observations upon the subject, but content myself with reading the resolution agreed to at a meeting of Roman Catholics, held last night, Lord Shrewsbury in the chair:—

> "That this meeting, deeply impressed with the outrage offered to the rights of conscience by the declaration of Her Majesty's present Government —'That Catholics are to be excluded from a participation in the grant of 100,000*l*. to be voted by Parliament for all other religious communions'—call upon all classes of their fellow Catholics to unite in one cry of indignant reprobation at this insulting exception from a public grant, paid out of a public fund, under the administration of a Ministry who have appropriated to themselves the title of 'Liberal,' but whose shrinking policy, at the cry of a bigoted sect, has countenanced the worst features of religious intolerance."

Upon this subject, I heard with pleasure the straightforward declarations on Tuesday last of the noble Lord the Member for the West Riding of Yorkshire, and the right hon. Baronet the Member for Devonport. The noble Lord declared that—

> "Of no Committee which refused on principle to admit Catholic applications because they were Catholics, would he consent to be a Member."

The right hon. Baronet admitted—

> "There was a just ground of complaint on the part of Roman Catholics." "In some parts of the country there was a vast number of Roman Catholics; it was a hardship that they should be excluded from all Government grants for educa-

tion; that he was ready to remove, as far as he was able, that hardship."

The right hon. Baronet likewise observed, that—

> "Roman Catholics were not excluded by name if they were excluded at all;"—

thus confirming what I have said with regard to the doubts which may fairly be entertained upon this subject. The right hon. Baronet likewise stated that—

> "He rejoiced that this subject had been brought before the House, and he rejoiced at the feeling which had been exhibited by the House, that this was an injustice which ought to be removed."

And the right hon. Baronet concluded by saying, that—

> "If the House would affirm the proposition that Roman Catholics ought to participate in these grants, no one would rejoice more sincerely than he should to see the difficulty removed; no one would more cordially co-operate in the endeavour to frame a Minute that shall bring Roman Catholics within the rule."

I consider, therefore, I shall be rendering a service to the Government, and doing an act most agreeable to myself by calling upon the House to affirm that Catholics ought to participate in these grants for education. And I shall therefore, upon the proper occasion, move the resolution of which I have given notice—

> "That any Minutes of the Committee of the Privy Council on Education, or other regulations, which shall exclude Roman Catholics from participating in any Grant of Public Money for the Purposes of Education, by requiring in all Schools which receive Grants of Public Money the use of the authorized version of the Scriptures, are inexpedient, and should be rescinded."

VISCOUNT MAHON hoped that the hon. Baronet would forgive him if he declined to follow him into the question respecting the exclusion of the Roman Catholics from the present grant. The hon. Baronet had given notice of his intention to move a resolution on the subject, and it would be the most proper time to consider the subject then. But in reference to the general question of education, and the objections which had been urged against the Government measure on the part of certain Protestant Dissenters, he wished the House to look for a moment at the practical alternatives before them. In the first place, he asked them to consider whether they could leave things as they were?—whether they could reconcile it with their duty to do nothing to remove the grievous ignorance which prevailed in so many districts of the country? Since the beginning of the present Session, they had had several new reports of the Inspectors of Prisons laid on the Table, and in those he found most deplorable accounts of the state of education. Take, for instance, the Tenth Report of the Inspectors of Prisons, which had been only a few weeks since laid upon the Table of the House. In the House of Correction at Usk, in Monmouthshire, the chaplain said—

> "Since the Michaelmas quarter-sessions, about 554 prisoners have been committed to my care. Of these 128 had never been to any school; 120 could read and write, 212 could read but not write, and 222 could not read at all. On admission, the prisoners are, for the most part, very ignorant: some have openly professed themselves to have no religion, and a few were ignorant of the name of our Saviour. Some, however, had a knowledge of geometry and algebra, and a few had been instructed in Greek and Latin; but very few had a sound knowledge of Scripture and their religion, and in all, without exception, the discipline of the heart had been entirely overlooked."

In these cases, then, it would seem that it was religious knowledge, even more than secular knowledge, that was wanting. In the county gaol of Shrewsbury, it appeared from the annual returns—

> "That of 972 males committed in 1843, there were 414, or nearly one-half of the whole, who could neither read not write, and even of the other half only 17 were reported to 'read and write well."

It was added—

> "However lamentable it may be to reiterate the fact, the chaplain is not now in a position to speak more favourably than he has done previously of their acquirements when brought to prison. A large majority of these were extremely ignorant in reference to moral and religious matters."

But in stating how many had never been to any school, the case of the need for education was, in fact, extremely understated, for the important question remained—to what kind of schools in general had the scholars gone? Now, as to the quality of the schools, let the House look to a different class of reports from those of prisons—the reports of the Inspectors of Factories. There was, for example, the report of Mr. Leonard Horner, dated only the 2nd of December last. Mr. Horner stated that many of the factory children at Manchester, Salford, and the adjoining district, were now attending National schools or British schools, or "good private schools." But then he added these words—

> "When I say 'good,' I mean, in most cases, good only by comparison with the ordinary run of those miserable mock schools to be found everywhere, in which a mass of dirty children of all ages, including infants of three years old, are crammed together in a small, close, unventilated

> room, with an old man, or an old woman sitting in the midst of them, utterly incapable of teaching the first elements of religion."

He must say then, that from all he had heard on the subject, he believed that the complaint as to the inferior class of persons who filled the office of schoolmaster was very justly founded. It seemed to be thought that any bankrupt trader, or discarded servant, or broken soldier, was good enough for a profession which was inferior to no other in importance—he meant the training of the rising generation in the way they should go. He said then, that looking to the state of education throughout the country, he thought the attempt of the Government to increase the number and elevate the character of the schools, and to induce a superior class of teachers to enter the profession, was entitled to their favourable consideration. The second question was, whether they would have a scheme of secular education solely, or of secular and religious education combined? For his own part, he considered that if the State should confine itself to secular education, without associating it with religion, it would be doing absolutely worse than nothing. He felt this so strongly, that when the late Government proposed the new colleges for Ireland, notwithstanding the special circumstances of that country, which undoubtedly rendered it much more difficult to enforce the principle he had mentioned, he considered it his duty to move an Amendment, and to take the sense of the House upon it, as to the importance of associating religious with secular education; and he must say that those who disapproved of the plan then proposed, could hardly be expected to look with favour on some of the schemes now recommended in opposition to the Government. Take, for example, the Amendment of which the hon. Member for Dumfries had given notice on the present occasion:—

> "That, in any measure for general education, it is expedient that schoolmasters and inspectors be not made the instruments of religious instruction, but that such religious instruction be supplied by the clergy of the different denominations, to whom every facility for imparting it should be given in the several schools."

Now, he must say that those who entertained the view indicated in that Amendment, seemed to have a very inadequate idea of the labours which pressed upon the clergy of this country. They were little aware that, much as the clergy had increased in numbers, the calls upon their time and their spiritual duties had increased in a still greater degree. He quite allowed that this applied to the Dissenting ministers as well as those of the Establishment; and therefore he was opposed to casting upon either of them this additional burden. To the Government scheme, taken as a whole, he was prepared to give a ready and cheerful acquiescence, though he could not approve of all its details. For instance, it appeared to him that the plan of providing offices in the Excise and Customs for promising scholars, however well intended, was faulty in principle, and would prove very difficult of execution, and that sooner or later the Government would be compelled to abandon it. There was also much force in the objection taken to the mode of framing the scheme, by the authority of the Committee of Council, instead of establishing it by Act of Parliament. That fault, however, had prevailed since 1839. The Minutes then framed had received the sanction of the House, and been acted upon by successive Administrations; and, therefore, it appeared to him that the time had passed for raising an objection to the want of an Act of Parliament to give them a more constitutional sanction. The present proposition was a step in the right direction, and he was bound to acknowledge that the Government had framed it in a candid and honourable spirit. Since one hon. Gentleman had already referred to the anticipated discussion on Monday next, on the subject of secondary punishments, he (Lord Mahon) would remind the House, that when the Legislature provided the best means of punishing criminals, and reforming them after conviction, it had only done half its duty; its chief object should be to endeavour to prevent crime. Looking at the artificial state of society in this country, the large masses of individual wealth which were drawn together, and the length to which luxury and refinement were carried, he thought that this wealth was not sufficiently secure, nor these luxuries and refinements protected, while they left poverty — gaunt famished poverty — still uneducated and howling at their gates. This was only the lowest view of the question. But surely no Member of that House would be insensible to the far higher considerations involved, to the solemn duty of imparting to others in a lower sphere some portion of the lights which Providence had vouchsafed to the higher. Let them approach the question of secondary punishments with this great aim full in their minds, and be assured that in the long run the best and surest mode to empty their prisons would be to fill their schools.

SIR J. GRAHAM: I am always most unwilling unnecessarily to occupy the time and attention of the House; but, as I conclude that the hon. Member for Finsbury intends to press his Amendment to a division, I cannot reconcile it to my sense of duty to give a silent vote upon the present occasion. The Motion made by the noble Lord at the head of the Government is, that the House should resolve into a Committee of Suply, for the purpose of granting 100,000*l*. of the public money in aid of education throughout the kingdom. The Motion made as an Amendment by the hon. Member for Finsbury is, that a Select Committee should be appointed for the purpose of inquiry. Now, it appears to me, that with respect to this subject, inquiry is altogether superfluous. The fact of the notorious inadequacy of the means of education, in England at least, is admitted on all hands; and if, as has been implied, this Amendment is moved for the purpose of conveying censure on the Government, although I am not prepared to say that some errors have not been committed by the Government with respect to this subject, yet I think it would be unjust in the extreme to mark with severity anything defective or amiss in their measure. On the contrary, I am so well aware of the extreme difficulties which are connected with the subject, that I think it is our bounden duty to avoid everything like asperity in speaking of what may appear to be errors; and to endeavour rather to rectify omissions than to censure what we may not altogether approve. In that spirit I will direct my attention to the matter under consideration. On the very threshold, the abstract question presents itself—is it or is it not the duty of the State to interfere with the education of the people? I cannot hesitate, in considering that question, to come to the conclusion that it is not only amongst the highest duties of the State, but one of the noblest, if it be not, indeed, the very noblest of the functions of a Government, to do everything in its power to extend the knowledge, to elevate the morals, and to cultivate the religious feelings and impressions of the people committed to its care. Speaking in a Christian assembly, I cannot hesitate to go still further and say that my own conviction is, that the most perfect and purest system of morality ever presented to the consideration of man is that system which has the Divine sanction, and holds out to mankind the highest inducement of future rewards and the greatest terror of future punishments. This view of the subject would lead me to considerations which I do not now intend to enter upon—considerations which justify the alliance of the State with a favoured religion, the religion of the majority—in other words, an Established Church. I will pass by that subject; and turn from the abstract question to the practical question. If it be admitted, as I believe it generally is, for the purposes of debate, that it is the abstract duty of the Government to promote the education of the people, the real question for consideration is the practical one—how can that great duty be best performed? As is the case with almost every practical question of policy, we must, in considering this question, have reference to the various circumstances of the united kingdom differently affected in different parts. A pointed allusion has been made to Scotland in the able speech of the right hon. Gentleman who represents the metropolis of that country. Now, with respect to Scotland, at an early period of its history this happy circumstance prevailed—speaking in general terms, there was one religion established and cordially professed by the entire people; and, therefore, legislation on the subject of education was in conformity with public opinion. Education was allied with the Church, and there was no difficulty in the matter. When the Presbyterian religion was first established in Scotland—even before the Revolution—in the reign of James I.,—and when it was subsequently confirmed at the Revolution, in the reign of William III., education was conjoined with the Established Church, and became part of the parochial system embodied in the law of the country. This system received the sanction first of the Scotch Parliament, and afterwards of the Parliament of the united kingdom. In Scotland, education in alliance with the Church was the peculiar care of the State; and, therefore, it followed that up to the very period of that unhappy recent disruption, which day by day I more deeply deplore, religious teaching and secular education went hand in hand. If I were to mention the circumstance which forms the brightest page in the history of Scotland—which has tended most to elevate the character of her people, and which has enabled that country, notwithstanding its natural defects—notwithstanding its poverty and various counteracting circumstances, to raise itself to the level of the highest civilized nation on the face of the earth, I should point to the admirable system of parochial education which prevails in that country. So much with respect to Scotland. In Ireland, circumstances are entirely different. There the religion of the State is professed by a small minority. Dissent from the established religion is one of the distinguishing features of the great majority of the people. With respect to Ireland, no national system was attempted; but the United Parliament has, year by year, voted considerable sums of the public money in aid of education, not in alliance with the Church; for, indeed, I am sorry to say, the system of education established in that country is viewed with an evil eye by many members of the Established Church in Ireland. That system, however, extends the benefit of education to the great body of the Dissenters in that country; and Churchmen may freely participate in it if they are so inclined. Thus, then, consistently, as it appears to me, both with practice and policy, the views of the Legislature have varied with the different circumstances of different parts of the united kingdom. It remains for me to apply myself to the consideration of the case of England. In this country, unhappily, from an early period up to the very latest moment—that at which I am addressing the House—the greatest possible diversity of opinion has prevailed on the subject of religion; and these religious differences have always constituted the real difficulty in dealing with the question of education. The State has never yet interfered to any great extent with education in England. It has been left to the voluntary efforts of the Established Church, with reference to members of the Establishment, and to the voluntary efforts of Dissenting sects, with reference to the members of their different persuasions. I have had some experience in my own person of the difficulties which a Minister of the Crown must encounter in attepting to deal with this subject. I unfortunately was not able to render as much assistance to the cause of education as I zealously and honestly desired; but I did this at all events—I sounded the depths of the dangers of the course. I traced the channel, and also marked the rocks and shoals to be avoided; and if my efforts have been productive of no other benefit, they have at least served to show future Governments what it will be their duty to shun if they wish to promote the cause of education. From the experience which I have had on the subject, I am bound to express my opinion that the question of national education in England is not ripe for legislation; and I think it necessary that the course hitherto pursued should be persevered in. I mean that the regulations on which the aid of the State is to be given to education should be brought under the consideration of Parliament by an annual vote; so that the aid may be given or withheld at the discretion of Parliament. That is, perhaps, all which at present can be satisfactorily accomplished. I shall, perhaps, be excused for pointing out the cautious and gradual manner in which the State has extended assistance to the cause of education in England. I think it was the Government of Earl Grey which first asked for a small sum to be applied in aid of the building of school-houses; and about 20,000*l*. or 30,000*l*. were placed at the disposal of the Treasury for that purpose, though, by a subsequent regulation, the money was placed at the disposal of a Committee of the Privy Council. In consequence of the circumstance to which I have already adverted—the difference of opinion on matters of religion—all interference with respect to the quality of education to be given, was rendered extremely difficult, and the grant was confined to the building of the fabrics of the schools. With the view, too, of avoiding discussions about particular creeds, the grant was limited to schools belonging to two societies maintained by voluntary subscriptions, namely, the National Society, which is in immediate connexion with the Church; and the British and Foreign School Society, which, though supported by many Churchmen, possesses likewise the confidence of a large portion of the Dissenting body. Until a comparatively recent period, 1839, I think no assistance was given by the State, except for the purpose of building schools, with the reservation I have already stated, that the schools were to be in connexion with one of the two before-named societies. The first relaxation of that rule, and that only a partial and guarded one, took place when Lord Melbourne was Prime Minister in 1839. The rule was still maintained that no money should be given, except for building the fabrics of the schools; but a relaxation was made as regarded special cases, to be considered apart from the connexion with the two societies, upon certain specified conditions contained in the Order in Council issued in 1839. I am not aware, however, that the Government of Lord Melbourne ever gave any assistance except for building the fabrics of schools, or that they entertained more than two or three special cases, taking care, at the same time, that the conditions prescribed in the Order of Council were observed. Upon those special cases I shall feel it my duty to advert before I resume my seat. My right hon. Friend below me (Sir R. Peel) came into office in 1841; and my late noble Friend (Lord Wharncliffe), of whom I may, in passing, say, that no man ever took more pains to discharge his duty to the cause of education with zeal and integrity than he did—acting in concert with my right hon. Friend and three or four of his Colleagues, proceeded to carry into execution the amended Order of Council of 1839. Up to this time no public money had been granted for schools except out of the Votes for the year—no future income was pledged. In 1841, for the first time, a sum of 5,000*l.*, I think, was granted for the establishment of a normal school in connexion with the National Society; and a like sum was granted for the establishment of a similar school in connexion with the British and Foreign School Society. The sum of 10,000*l.* was also voted for the establishment of two normal schools, one in Glasgow and the other in Edinburgh. Again, up to 1843, no income, no annual sum prospectively, was pledged by the Government in aid of education; but in 1843, the Government resolved that, in each Session, keeping Parliament informed of the progressive steps they were making, for the first time they pledged the faith of the State for the grant of an annual sum in aid of education; and, they accordingly granted to the National Society, for a normal school, a sum of 1,000*l.* a year. To the British and Foreign Society they also granted, for the same purpose, a sum of 750*l.* a year, and I think, some promise was made of an annual contribution from the State to defray the charge of the normal schools in Scotland. Last year, when a departure was made from the rigour of the rule which had been laid down, many applications were pressed on the Committee of Privy Council for contributions for aiding the efficiency of schools, and in aid of the salaries of masters. Special cases then came to be considered by the Committee; and it is my bounden duty to state to the House, that to me, at least, it became evident, that if those special cases were multiplied, and the rigour of the rule departed from, which had hitherto been to give aid limited to those two societies, the question we are now discussing would sooner or later arise; and it would be necessary to decide whether, under a special case, showing that in certain districts there were populous towns in which the means of education for the labouring poor were greatly deficient, and where the consequence was that large numbers of children were growing up in a state of debased and degraded ignorance, likely to render that portion of the community unworthy of the country and age in which we live, we should not be obliged to afford aid for education to a much greater extent than had up to that time been given. I felt, I say, that if we interfered to give State assistance to education in favour of one class of Dissenters, it would be impossible, on any considerations of fairness, of policy, or of religious liberty, to make any invidious distinction, and refuse similar assistance to another. I am bound to say that was the view I took and maintained when I had any share in the deliberations of the Privy Council. I am bound also to say that that view was shared in by my Colleagues, and I believe I am accurate when I say that we, when we had the power entrusted to us of taking into consideration these special cases, followed exactly in the steps of Lord Melbourne's Government, and rigidly abstained from extending the number of those special cases; thinking that, if any wide departure were made from the original system, we ought immediately to represent and submit it to Parliament; and that any such step, from the religious differences amongst the people, would inevitably lead to that struggle which, however ready I may be to aid in the cause of education, I think is most unfortunate, and is not to be lightly provoked. Her Majesty's Government, however, being not unduly impressed by the notorious deficiency, in this country, of the means of education, religious as well as moral, and seeing the lamentable effects which that great deficiency had produced, thought that the time had at length come when something further ought to be done; and that consideration led, I imagine, to their agreeing to the Order in Council which is now on your Table. In adverting to this part of the subject, it will hardly be supposed that I am sorry that the Wesleyans have been admitted to obtain aid for educational purposes from the State. Far from it. On the contrary, I greatly rejoice that they who, without any aid from the State, have done so much for the cause of education, at last are admitted to a participation in those advantages which I am confident they will not misuse, but take care to apply for the benefit of the community. Having said so much, Sir, respecting the Wesleyans, I will further say, though I am afraid that what I am about to say will not be received with approbation by many Gentlemen in this House, or by a large portion of my fellow-countrymen in England—but I am, nevertheless, bound to declare that if you depart from the rigour of the rules which you have laid down, and admit the Dissenting bodies to receive the aid of the State in conducting the education of their children in their respective schools, I cannot see with satisfaction a considerable portion of my Roman Catholic fellow-subjects excluded; and recollecting that they are not only fellow Christians, but that their Christian doctrine is the doctrine of the larger portion of the world where Christianity is accepted, I cannot assent for a moment to the proposition that the Roman Catholics should be an exception to the system you are now about to introduce. I think the position which is occupied by those who advocate that exclusion at this particular point of time is most untenable. It is a revival of the old Roman Catholic question under the most unfavourable circumstances. It ought not to be forgotten that the Roman Catholics were admitted to political rights long before they were allowed seats in this House, being prevented by an oath which they could not take from holding seats here; a flimsy barrier apparently to some minds, but still effectual to prevent their admission to Parliament. I will not enter into the question whether the Order in Council of 1839 has received a proper interpretation or not; or whether the use of the Bible or Testament, without distinction, means the use of the authorized version of the Scriptures; I will not enter into the argument whether those words have received a right interpretation or not; but I will assume that the authorized version was intended to be used in the schools that received aid from the State; and, I will say, that I think that is a most unfortunate ground on which to rest the exclusion of Roman Catholics from participation in this aid. What is the authorized version? and what is the version of the Roman Catholics? The version of the Roman Catholics is that Bible from which Bossuet and Fenelon drew their texts when they preached—that Bible from which Pascal derived his immortal thoughts. And shall I be told that that version which is used by the Roman Catholics shall be the sole barrier by which they are to be excluded from the participation in the benefit of those conditions upon which the State has resolved to contribute to the education of the people? Sir, I believe that the Roman Catholics are in a position to show, that the very terms used in the Order in Council of 1839, are terms which would admit their claim to some participation in the grant. The hon. Member for Southwark referred to Mr. Langdale, with whom he appeared not to be personally acquainted. From my earliest years I have had the honour of knowing Mr. Langdale. A more honourable man does not exist. He is incapable of deceiving; he is implicitly to be believed. I have had various interviews with him of late on this subject, and I find from him that in many large towns, as for instance Manchester and Liverpool, and in this very metropolis, there are large masses of our Irish fellow-subjects living in great poverty, and greatly at a loss for the means of moral and religious education, and that, though the Roman Catholics who are in good circumstances are prodigal in the aid they furnish to their fellow-countrymen, yet the means of moral education and of religious worship are greatly deficient, because in those districts these poor people are severed from the heads of their religion; and consequently their moral and religious destitution is extreme. The means of education is entirely wanting amongst them. I am assured by Mr. Langdale that there is no body of Dissenters that would feel so little difficulty in the terms of the Order in Council of 1839, which define special cases, as they would, and that those terms ought not to prevent them from a full participation in the benefit of the grant. What are those terms?—

> "*Resolved*—That on the facts in relation to each case being presented to the Committee, and their Lordships being satisfied that the regulation of the 24th of September will in all other respects be fulfilled, they will lend their aid to those cases in which proof is given of a great deficiency of education of the poorer classes in the district of vigorous efforts having been made by the inhabitants to provide funds, and of the indispensable need of further assistance; and to those cases in

which competent provision will be made for the instruction of the children in the school."

If the House has followed me through this resolution so far, I believe they will concur with me in thinking that the Roman Catholics would have no difficulty, that the Roman Catholics would be able to participate in the grant, if the resolution went no further. Now, nothing remains in the resolution but the words "the daily reading of a portion of the Scriptures forming part of such instruction;" and I have yet to learn how, if that does not mean the authorized version exclusively, the Roman Catholics will have any difficulty. Be this as it may, however, I am clearly of opinion that some effort should be made by means of communication with the Roman Catholic prelates to see whether an accommodation may not be effected on those points about which there may be at present some hesitation; at all events my opinion is, that the attempt should be made to admit them to a participation in this grant. Sir, I listened with satisfaction to the sentiments expressed by the right hon. Baronet opposite (Sir G. Grey) on this part of the subject. I am not aware that he is disposed to contradict in any degree the opinion I have just now stated; I am led to believe, on the contrary, that he agrees with me in this —that an accommodation ought to be made, if possible, and that from a participation in this grant the Roman Catholics ought not to be excluded. It becomes then a question of time. Well, then, I ask myself, is it just to the Roman Catholics to postpone the decision of this question? I can certainly see some expediency, but I am bound to say I can see no justice whatever in the postponement of it. If we were only about to vote 100,000*l.* for the purpose of aiding the education of the people, and no new rule were about to be established, I could understand the postponement of their claims. I am speaking with no feeling of passion on this subject; I am aware of all the difficulties which environ it; I wish to reason upon it as a matter of justice and equity to the poor, taken in conjunction with the Minute of last year. Observe that you are now taking a new course. It is a fallacy to say that we are called on only to vote 100,000*l.* for the advancement of education, and that we are about to adopt no new proposition. It is true that the vote for education is limited to 100,000*l.*; but this vote is taken on different grounds from the vote of 1839; it is the adoption by Parliament of an entirely new principle. The contingent expenses of this new scheme have been variously estimated; they have been estimated, I think, as high as 2,000,000*l.*, and no one, I think, can well put the estimate lower than 1,000,000*l.* The expense will probably reach that amount in no very long period. I do not mention that invidiously or grudgingly; I rejoice that it should be so, because, I think that the State ought to support a scheme which is likely to lead to an expense of so useful a character; but, besides that, this vote is not only a virtual but a positive adoption by Parliament of the Orders in Council. Then all other classes of Christian Dissenters are admitted by this vote to a participation in the aid given by the State to education; and there ought not to be a doubt left vague, whether the Roman Catholics, under such circumstances, shall be admitted to share the advantages or not; but Her Majesty's Government feel that the terms used, whether Bible or Testament, or Scriptures—I will not dispute about which it is—all mean the authorized version of the Scriptures, and that the Roman Catholics have an insuperable objection to the authorized version. Now, that, as it appears to me, is neither more nor less than to say that the Roman Catholics are to be excluded at present from all benefit from this grant. What, then, is their prospect? Why, they are told, that at the present time they are not to partake of this grant; but that at some future time their insulated case—insulated, I had almost said invidiously—is to be presented for the consideration of the House. When is the right time? I say that the time to do justice is now; and I never can believe that it is good policy to postpone any concession which justice, and equity, and the spirit of liberty and freedom, irresistibly demand. I do not wish to press the matter further, or impede the Government in any manner. I have stated frankly my opinion. But I shall not vote upon the present occasion with the hon. Gentleman the Member for Finsbury. I am decidedly of opinion that the course taken by the Government in all other respects, saving only the great question affecting the Roman Catholics, is not only justifiable, but also prudent and judicious. I think it infinitely better to proceed by an Order in Council, in the present state of religious feeling in this country, than to attempt to introduce an Act of Parliament which, with the prevalent sentiments of the people, it would be practically impossible to carry. I think that great good will arise from the course adopted by Her Majesty's Government; but I cannot consent to purchase that good at the expense of committing injustice on our Roman Catholic fellow-subjects. I have already adverted to the National system of education in Ireland, in which the authorized version of the Scriptures is not used, and in which, indeed, the use of the entire Bible is not permitted, but in which extracts, in which both the Protestants and the Catholics agree, are substituted for the Scriptures themselves. And I do not wish needlessly to advert to a measure which it was my duty to bring under discussion with reference to the Roman Catholics in Ireland; but we carried a measure establishing colleges, in which secular education alone is enforced apart from religious instruction. I prefer, however, the course which Her Majesty's Government have pursued in that respect with reference to England. I cordially give my approbation to a scheme which, with the exception of the important point I have mentioned, I consider based on a sound principle and on a liberal policy; but I cannot pass over the omission, and I think that the exclusion of our Roman Catholic fellow-subjects is a case which is entitled to the immediate and the favourable consideration of Her Majesty's Government.

LORD J. RUSSELL said: Sir, I own that after this measure has been for three nights debated, I rise considerably relieved from the apprehensions I might have entertained of the decision which will be come to by this House. The great objection, which was stated in the front of this measure, was, that the State ought not to interfere with the education of the people; and the various petitions which have been presented to this House—a great part, at least, of those presented against this measure—have declared, and the 500 delegates who have assembled from various parts of the country have declared, and have expressed their conviction, that we ought to lay down the rule that the State ought not to assist in the education of the people, or, rather, that it ought not to educate them. What, then, do I find when this measure is brought under the consideration of the House, and when I invite the attention of the House especially to this objection? I find that the hon. Gentleman who moved the Amendment, and who must be considered upon this occasion as the organ of the Congregationalists and the Baptists, has not in any part of his speech declared that principle—that he has not in any part of his speech defended the ground that the State ought not to educate the people. Sir, I really thought before he spoke, that I was brought up on the same sort of indictment on which the Clerk of Chatham was arraigned before Jack Cade:—

> "The clerk of Chatham, he can write and read
> and cast accompt.
> O monstrous!
> We took him setting of boys' copies.
> Here's a villain!"

I thought that would have been the charge; but that cause has been taken up only by the hon. Gentleman the Member for Durham (Mr. Bright). In the course of this debate I find the hon. Baronet the Member for the Tower Hamlets (Sir W. Clay), the hon. Baronet the Member for Droitwich (Sir J. Pakington), the hon. Member for Montrose (Mr. Hume), the hon. Gentleman the Member for Leicester (Sir J. Easthope), the hon. Baronet the Member for Southwark (Sir W. Molesworth), and the noble Lord the Member for Hertford (Lord Mahon), every one speaking in favour of education by the State—every one finding certain fault with our measure; but all agreeing that it is the duty of Parliament to assist in the education of the people. Then, Sir, I really think it is too much to ask the House to enter upon an inquiry—whether the measure we have undertaken "do not unduly increase the influence of the Crown, invade the constitutional functions of Parliament, and interfere with the religious convictions and the civil rights of Her Majesty's subjects?" I say, that placing that in the front of the resolution, can be with no other wish than that it should be considered a censure upon us for having introduced this measure; although some hon. Members, who vote for this resolution, only do so with a wish for inquiry, and not on the ground of blaming us for endeavouring to promote the education of the people. But the hon. Gentleman the Member for Durham has declared very strongly against any interference on the part of this House with the the education of the people; and he declared, in rather ominous words, towards the end of his speech, that certain other consequences would follow the adoption of this resolution by the House. That is the hon. Gentleman's opinion; and the hon. Gentleman argued it, as he always does, with great force and power; but I must except to the argument held in one part of his speech. He said, with regard to Church schools, that we admitted inspectors, who would be clergymen, to inquire into the religious faith and the progress in knowledge of the pupils; and he said, that if we had dared we should have proposed the same inspection for the Dissenters' schools, and that we refrained from the proposal because no Government durst make it. What, Sir, has been my conduct which will justify the hon. Gentleman in making such an imputation—that it is only through fear that we have abstained from encouraging interference with the religious convictions of the Dissenters? Sir, I have taken part with others in freeing the Dissenters from the disabilities under which they formerly laboured. When I found them oppressed and restrained by the disabilities imposed by the Test and Corporation Acts, I proposed, and we succeeded, against an adverse Government, in repealing the Act which created those disabilities; and when, afterwards, the Dissenters found themselves obliged to solemnize their marriages in church, though they objected to the form of service, it was a hardship, as we considered, upon their consciences, and we came down to both Houses of Parliament, and we passed a measure to free them from this objectionable regulation, and to enable them to contract marriages in a manner which their consciences approved of. I ask, what has the hon. Gentleman the Member for Durham done for the Dissenters to outweigh these measures? What right has he to make the imputation that it is our wish to interfere with the religious convictions and religious freedom of the Dissenters? Sir, another ground of opposition has been taken to this measure. At meetings in the country, it has been stated that the Government has countenanced error as much as truth—that we are prepared to go so far as that all distinctions between truth and falsehood should be lost—and that our principles are evidently latitudinarian. This objection was taken, and it was evident that there would be great opposition to the measure on the part of many Dissenters, because we extended an endowment to the Roman Catholic schools; and for my part I cannot but believe, that many of those who in their resolutions have stated, they consider it a great hardship and a great injustice that the Roman Catholic schools do not come within the terms of the present Minutes, took a strong objection to the endowment of Maynooth, and protested most strongly against any extension of assistance to the Roman Catholics. I find among those who voted against the grant to Maynooth the name of the hon. Gentleman the Member for Durham; and I cannot but think that he, among others, would have objected to what he considers giving aid by the State to religious error. But, I must, after the statements made by the hon. Baronet the Member for Southwark, and especially by the right hon. Gentleman who last spoke, enter into some further explanation of our conduct with regard to this measure. The hon. Baronet the Member for Southwark has gone into numerous details on this subject, and has stated several suppositions of his, some of which are entirely erroneous; he has also stated some parts of the correspondence with the secretaries of the Wesleyan body; but there is one passage in that correspondence which he not only omitted to read, but of which he omitted all notice whatever. When the Wesleyan body, in consequence of a communication from Lord Ashley—a communication which was altogether unauthorized by the Government—asked what were our intentions with respect to the Roman Catholic body? the following answer was given to them, showing our intention:—

> "Their Lordships have not superseded the operation of their Minute of the 3rd December, 1839, by their Minutes of August and December, 1846. The whole series of Minutes are connected, and are to be deemed mutually explanatory. Their Lordships have hitherto made no provision for the extension of aid to Roman Catholic schools; but they have not, by their recent nor by any preceding Minutes, precluded themselves from presenting to Parliament further Minutes, by which, upon a full consideration of the wants of the population, and the constitution of the school, they may be enabled to grant such assistance."

Clearly meaning, that further Minutes were intended to be made and would be presented:—

> "These further Minutes, when presented, will make a separate provision for Roman Catholic schools, and will in no degree unsettle the basis on which aid is now granted to other schools. Full opportunity will be given for the consideration and discussion of such Minutes, before Parliament is called upon to carry them into execution; and no one who agrees to accept aid under the present Minutes will be thereby in any degree pledged to approve these future Minutes, or precluded from offering to them such opposition as he may think expedient."

Now, Sir, I say that this answer entirely frees us, in the first place, from the charge that has been made against us, of endeavouring to deceive the Wesleyans into a belief, that no aid would ever be given to the Roman Catholic schools; for it was clear that we had an intention of considering Minutes and of framing them, so as to give aid to Roman Catholic schools; and, in the next place, it entirely puts an end to the charge made by the hon. Gentleman the Member for Leicester, and by others, that to satisfy and please the Wesleyans the Roman Catholic body is to be thrown overboard. It is clear that the answer alludes to the decision under the Minutes made in December, 1839, which are separate from the Minutes of 1846, and proceeded on the then state of affairs. Now, the speech of the right hon. Gentleman who last spoke makes it necessary to recall to the recollection of the House the occurrences of the year 1839. We proposed that the commencement made in that year should be by establishing model schools; and I remember that in the Committee of Council, or previous to the formation of that Committee—I am not sure exactly which—when the plan was framed, I particularly urged that the Roman Catholics should not be excluded; and I proposed words, that in Roman Catholic schools the Douay version might be used. It was thought that those words would excite great apprehension, alarm, and opposition in the country, and it was quite evident that very general resistance would be made to the plan of any schools in which the Roman Catholic scholars should be taught the Douay version. The opinion of the Government on that occasion was the same which the right hon. Gentleman adopted with respect to his own Bill. He withdrew the measure as not being likely to meet with the approbation of Parliament and the country. We then proposed our Minutes, in which certain special cases were provided for; but the model school and the Douay version were entirely omitted. Great opposition was made to those Minutes, and one of the principal grounds of opposition made to the grant of that year was, that the Government had not entirely given up the notion, at some time or other, of extending those Minutes by allowing the Douay version to be used in the schools; and, as far as I remember, no one was more strong in his opposition on that and other grounds than the right hon. Gentleman the Member for Dorchester (Sir J. Graham). There was undoubtedly a strong feeling in the country upon the subject; there were vehement speeches made in this House upon it; the vote was only carried by a majority of two; and it was evident that a very large minority did in a very great degree represent a very large portion of the public opinion hostile to it. The dread of seeing Roman Catholic schools, expressly as such, established with the public money, entered very much into the views and considerations which made that minority so considerable. That circumstance certainly made an impression upon my mind, and convinced me, that however desirable it might be to extend aid to the Roman Catholic schools, for some years to come at all events—perhaps, for many years, we should have to make our choice between aiding all the schools belonging to the Church and to the Protestant Dissenters, and not aiding the Roman Catholics, or giving up all hope of assisting education altogether. My conclusion was, and it was the conclusion of the Committee of the Privy Council, that the better way was to go on giving what aid we could, as by that means great benefit must necessarily ensue, although we might express our dissatisfaction with the terms we were obliged to observe with regard to the Roman Catholics. Those terms with regard to the exclusive use of the authorized version were laid down in the Minute of 1839, by which I admit to the right hon. Gentleman (Sir J. Graham) we effectually excluded the Roman Catholic schools. The schools to be aided were, either to be in connexion with the National Society, or the British and Foreign School Society. That condition shut out the Roman Catholics in 1839; it shut them out in 1840 and in 1841, during which time the Whig party were in office; but it shut them out likewise from 1841 to 1846, at the time when the right hon. Gentleman was himself a member of the Committee of Education. I own I cannot well enter into the distinction which the right hon. Gentleman makes, when he says, that I had no objection to exclude the Roman Catholics on the ground that they could not receive aid through the National Society or the British and Foreign School Society; but that I had the greatest objection to exclude them when there was a different rule, which allowed parties to come to the Committee of Privy Council without going through those societies. Why, it appears to me that whether they are excluded by telling them, "You must go to societies which will not hear of you—which will have no connexion with you—which cannot, by their constitution, promote the Roman Catholic schools;" or whether you tell them, "You are excluded, because the Scriptures must be daily read in the schools—those Scriptures being the authorized version;" I own it does seem to me that with regard to the Roman Catholics the effect is exactly the same; and that they were excluded from 1841 to 1846 by the rule which had been laid down so long ago as the year 1833, and of a subsequent rule laid down in 1839. The right hon. Gentleman the Member for Dorchester acted under those Minutes, when he acted as a Member of the Committee of Council. If, therefore, he thought it so great an injustice that the Roman Catholics should not receive aid, that was the time when he could have impressed upon his Colleagues the necessity of giving them that assistance. Yet it appears that although the right hon. Gentleman felt strongly that objection to the Minutes, and although, as he says, he urged it upon his Colleagues, yet, as to any effect produced, none was ever perceptible—there never was any aid given, and the question never was brought in any shape before this House. Why, Sir, I rather think that the right hon. Gentleman had an excuse which we thought a valid one—the same excuse which we had in 1839, 1840, and 1841—namely, that the opinions of the country were so strong upon this point, that the whole aid to education would be very much endangered by bringing the Roman Catholic schools within the scheme; and therefore if the right hon. Gentleman and his friends wished to assist education at all, they must interpose some delay before those schools could be included. The right hon. Gentleman says that the version of the Scriptures adopted by Fenelon and Pascal should be recognised by the Council. I do not know exactly the version to which the right hon. Gentleman alludes; but the most eminent Roman Catholic writers whom I have had the opportunity of consulting, when they wish to quote the Bible accurately, always quote from the Vulgate, which everybody knows is the highest authority among the Roman Catholics, and the introduction of the Vulgate, every Gentleman must be aware, would be quite unintelligible in our English schools. But how stands the question now? The Committee of Council have declared both to the Wesleyans and to the Roman Catholics, that they shall be prepared to consider Minutes which will admit Roman Catholic schools to receive Government aid. But was it desirable that in 1846 we should have proposed to change the rule which had subsisted from 1833, and that we should have added this further difficulty to those with which we had already to contend? I firmly believe, seeing the opposition we have had to encounter, that if we had revived our proposition of 1839, or if we had made a separate provision in the month of December or February last for Roman Catholic schools, we should have been unable to carry the vote that we now propose. Yes, I make that declaration in spite of the great liberality which has been shown in the course of this debate, because I have seen, in more than one instance, how strong a feeling there has been on the part of certain parties against any aid, assistance, or even, as I think, just relief to the Roman Catholics. I remember when it was considered that one of the ways in which aid might be given to the Roman Catholics would be by establishing Roman Catholic schools in Ireland upon the principle of the National school system in this country, that it was thought similar schools might be even established here also; and an attempt was made for that purpose by the corporation of Liverpool. A school was established, in which Roman Catholic and Protestant children were both taught in the ordinary branches of education, their religious instruction being carried on in separate parts of the building. The school was conducted with great harmony, and, as it appeared, with great advantage to the poorer part of the Catholic population in Liverpool. But when Lord Stanley, who was the person to introduce such a scheme in Ireland, was asked his opinion as to the practicability of that scheme in England; what was his reply? He said, that although it was a plan fit for adoption in Ireland, yet in his opinion it was unfit for England. The popular opinion in Liverpool wen against this school. The ratepayers who, according to the Municipal Corporations Act, elected the municipal council, opposed at the following election those members of the corporation who supported the school, displaced them, and elected others of opposite opinions; the teaching of the Roman Catholics according to their own faith was discontinued, and the school was thenceforth conducted on an entirely different system. Here then we have a strong feeling expressed on the very subject of giving aid to the Roman Catholics; and we have also the opinion of the noble Lord who introduced the system into Ireland, and who, therefore, might be thought a most competent authority on the subject. But we have just had a remarkable proof of the unwillingness of this House to give further aid to the Roman Catholics. A Bill was introduced by an hon. Gentleman (Mr. Watson) for the purpose of relieving Roman Catholics from penalties which it appears to me they ought not to be liable to. I cannot conceive how any person could make out one decent argument against it. That Bill, it was true, contained some clauses that were very questionable; but those parts could have been entirely changed or altogether left out when the Bill went into Committee. The right hon. Gentleman the Member for Tamworth (Sir R. Peel), spoke in favour of going into Committee; the noble Lord the Member for King's Lynn (Lord G. Bentinck), whose opinions may be considered to carry some weight in this House, also spoke in favour of going into Committee upon the Bill; while the Government and every person I believe in office voted in favour of the Bill; and yet notwithstanding all this support, the second reading of that measure was carried only by a majority of three; and on the next occasion there was a majority of thirty-eight against going into Committee. I voted in the minority on that occasion, having voted in the majority on the second reading. The right hon. Gentleman was not here, I think, on the last occasion. [Sir J. GRAHAM: I was here on every other occasion, and voted in favour of the Bill.] My object was to show how strong were the feelings of the House on this subject, and how many Members expressed their great unwillingness to go into Committee on such a Bill; and thus, by inference, to demonstrate the very great difficulty there would have been to induce them to make any further concessions to the Roman Catholics upon the subject of education. But, Sir, if we have said that the rule which was made in 1839 should not be altered in 1846, when we had other questions before us, and if we ask for time to deliberate upon the future Minutes that may be made, it is not to be said of us that we have specially, upon this occasion, excluded the Roman Catholics from this measure. My own opinion is, that we should have failed if we had attempted to have extended the scheme to them now. But my opinion is, especially after what I have heard during these three nights of debate, that it is very possible we may be able to frame Minutes by which, when the House shall next be asked to grant aid to these schools, the Roman Catholics may be included with the others; and that in places where there is a poor population of Catholics, they likewise may have the benefit of these grants. Certainly no one on this (the Ministerial) side of the House—I mean connected with the Government—neither my noble Friend the Member for the West Riding of York, nor my right hon. Friend the Secretary of State for the Home Department, nor myself, concealed his opinions upon this subject. We do say, indeed, that we will not force the House to come to an immediate decision upon the question; but that at the same time we do take a favourable view of assisting the education of the Roman Catholics, as we have done with regard to many other subjects. This, I think, can hardly be doubted by any. I do not agree with the right hon. Gentleman, that there is no reason why they should not be included in this vote; and I think it is far more likely that if they are included in the next vote, or in some other vote upon this subject, the House and the country will agree to the terms upon which such a grant will be proposed. However, this question has arisen, I must say, somewhat suddenly upon me. I did not expect that it would have been made the main subject of debate upon this occasion; I thought that the rule which had subsisted for many years, might have been permitted to go on for another year without making it the subject of special contention and accusation at this particular moment. The hon. Baronet the Member for Southwark (Sir W. Molesworth), who has spoken very ably in support of the vote to-night, and of grants in general for the purposes of education, wishes to carry a Motion for aid to the Roman Catholics as a part of this grant. I own that I consider the framing of any Minutes upon this subject will require great care and deliberation. Should they be framed upon the ground of their being entirely Roman Catholic schools, and of their teaching the Roman Catholic doctrines, and of their having Roman Catholic inspectors, I have no doubt that a great many would object to the Minutes upon those grounds. Should we propose they should be like the National schools in Ireland, and that aid should be granted in the same manner as aid is granted to those schools, and with regard to which we have added considerably by the vote of the present year, I am not sure that the Roman Catholic bishops would approve of the vote in such a shape. I know that some of them object to the Vote for National Education and for National schools proposed on that ground; I think, therefore, that for this and other reasons it is necessary to postpone this question and the drawing up of any Minutes by which that aid should be granted. I entirely agree in all that was said by my noble Friend the Member for Yorkshire, and my right hon. Friend the Secretary of State, and am, like them, convinced, that we cannot have any permanent system without including Roman Catholics. But the right hon. Gentleman who spoke last, and many other hon. Members, seem to have forgotten that we are not here proposing a permanent measure; we are proposing to give further aid in order to the improvement of schools. In 1839 we introduced a very great alteration, and that was the alteration of inspection; before that, the school votes were given according to the decision of the Treasury; and many of those sums of money were given to schools which after a few years fell into decay, and the money was entirely thrown away. I believe that the system of inspection has been very useful to those schools. Well, then, according to the present vote, we propose that the teaching by monitors and assistant teachers shall be improved, and the situation of schoolmasters shall be hereafter improved. But it does not follow, certainly, that we propose this as any permanent, far less as any complete system. I trust that by our votes year after year we may attain in the end to some general agreement of the nation upon this subject, than which none more important can be brought under the consideration of this House. I must obseve that when these votes have gone on, seeing that it is the general opinion—almost the unanimous opinion—of this House, that education ought to be aided by the State, I trust there will be that general agreement which will enable us to bring in a Bill which shall gain the consideration of this and of the other House of Parliament. But have we been wrong in not introducing a Bill on the present occasion? I must say, that the variety of opinions on this subject confirms me in the opinion that we were right in not introducing this question by Bill; for recollect—and let those especially who have objected to our course recollect—that if we had proposed to grant 150,000*l.* or 250,000*l.* out of the Consolidated Fund, or 500,000*l.*—as my hon. Friend the Member for Montrose, I think, proposed—we should then have put it out of the power of this House, unless with the consent of the other House, ever to alter the system thus established. That is the case with respect to the grant for Maynooth, which used to be an annual vote, and which now by Act of Parliament is established in a manner which cannot be altered unless with the consent of both Houses of Parliament. My own belief is, that the state of opinion on education is not ripe for such a proceeding. After a great number of years—after proceeding nearly fifty years by annual vote—the right hon. Gentleman opposite proposed his Bill for Maynooth. I cordially supported it; and I thought that the time was come when a permanent system with regard to the education of the Roman Catholic priesthood might be established in Ireland. But this question—many questions indeed—took a long time in deliberation, in ripening, in discussion, in this House and in the country. I remember, with regard to a question, which I should hardly have thought would have provoked much keenness of contention or created much difficulty—the question of the county courts—when Mr. Canning was the leader of this House—that Lord Althorp brought forward that subject in three succeeding years, and endeavoured to establish county courts, in which questions of small debts might be decided. That measure was afterwards taken up by successive Governments. I introduced several Bills upon the subject. Several Bills were also introduced by the right hon. Gentleman opposite; and having been taken up, I think, about the year 1824 or 1825, it was not until 1846 that any measure passed upon the subject, and it was not until within the last month or two that that measure has been brought into operation. I say that if there were such difficulty with a regard to question which did not excite religious prejudices, and which was not exposed to a great variety of opinions, is it not allowable to wait for some years before we introduce a permanent Bill upon so difficult a question as that of national education? I think that our introducing this vote in the present year, and improving the system hitherto acted upon, has tended to bring out many opinions—many useful opinions—on this subject.—It has, above all, shown that the disposition of this House is favourable to education being aided by the State; for many of those who will vote with the hon. Member for Finsbury for a resolution that would put an end to the grant for the present year, are yet favourable to education being so aided; and the large majority which I trust there will be for this vote, are of course in favour of the same principle. With regard to the other question, I think likewise many intricate points have been disposed of by the disposition shown by the greater part of those hon. Members who have spoken, to have this question decided in one way against the small minority who have spoken on the other side. I think the proposition of the hon. and learned Member for Bath, that education should be entirely secular, with whatever ability he may support it, is so completely against the opinion of this or of any House of Parliament, that I cannot believe that there will be any success of that proposition; and I do not think that the future Minister, whom the hon. and learned Gentleman imagines as exceeding the present Government in liberality, however he may so exceed them, is likely to have a very long tenure of power, if "vote for education without religion" should be placed on his banner, and that schools entirely secular should be established by the State. With regard to other matters there has been really so much support given to the proposition of the Government, there has been so much handsome and generous support given, amongst others by the right hon. Baronet who spoke to-night, by the noble Lord the Member for Liverpool, by the noble Lord the Member for Hertford, and many others, that I will conclude with thanking them, and this House, for the reception which our proposition has met with. It is intended to raise the character of the people of this country; and, with the support which I trust we shall have from this House, I do not think we shall be disappointed in our hope.

COLONEL SIBTHORP said, he should not vote for the Amendment of the hon. Member for Finsbury, and he could not vote with the noble Lord who had just sat down. He knew something of the value of the old adage, "Look before you leap;" and when he recollected how he had been deceived by a former Government, with regard to a measure of equal importance, that had taught him a lesson ever to be cautious how he placed confidence in any other Government. He highly commended the noble Lord at the head of the Government for his candid declaration, which was far more open and honest than any his predecessor the right hon. Baronet the Member for Tamworth had ever made. He had heard the noble Lord say distinctly that the grant was not proposed as a permanent one; and he had heard also that it was not a complete measure. He thought as much. He was taught by experience—and that made men wiser, or ought to do so—to believe that the noble Lord had ulterior measures in contemplation. Of course the noble Lord was aware they would not receive his support—*timeo Danaos dona ferentes.* The present measure was only a trap to draw them into a snare. He held no uncharitable feelings with respect to the Roman Catholics; but he could not subscribe to any proposition which had for its object any further concessions to them in the way of grants or otherwise. On the contrary, so strong was his feeling upon this subject, that if any hon. Member would mave for the repeal of the Act of 1829 (the Catholic Emancipation Act), he would second the Motion.

SIR R. PEEL: Although I feel it to be wholly unnecessary to add anything to the arguments which have been already laid before the House, yet I should be extremely unwilling to permit the House to proceed to a division without shortly stating the grounds upon which my concurrence is given to the Motion of the noble Lord. Considering the position which for five years I held in the Government of this country—considering the connexion which I have had with the appropriation of the sums voted by the House—considering that I was a Member of the Committee of Council entrusted with the administration of that fund—considering the opportunities which the Government with which I was connected had of proposing measures, the main outlines of which I approved—I think that on account of that appropriation, and on account, also, of the considerations to which I have been referring, that I ought not to shrink from my full share of whatever responsibility may attach to supporting the Motion now before the House; and most especially that I ought not to shrink from my full share of any unpopularity which I may run the risk of encountering on account of the support which I feel bound to give to the present vote. I admit that the course we are about to pursue is one in which we should not lightly engage. I admit that the considerations connected with this measure deserve the most mature attention; and amongst the earliest reflections which present themselves to my mind in connexion with this subject, is the form in which it comes before us. In the year 1839, I fully shared the objections which were then expressed to proceeding by way of single vote in preference to introducing a Bill. It was then considered objectionable to proceed by single vote in devising even the most imperfect scheme of education; and I confess that, in my mind, the objections to that course still continue. I think that, in these cases, great advantage aries from adhering to the ordinary mode of proceeding, by submitting to the full consideration of Parliament the regulations according to which any vote for purposes of this kind is to be administered. I conceive, also, that there is great evil in excluding the House of Lords from a full consideration of the whole question. I conceive it to be most disadvantageous to leave that House without any alternative—they must now reject the measure wholly, or adopt it without qualification. I say I regret all this; but with my view of the immense importance of making some progress in reducing the monstrous evil of leaving the country without sufficient means of education—foreseeing the probable consequences of insisting now upon the opposition which, in the year 1839, I felt it my duty to offer to the measure of education then proposed—I have resolved to give the present proposition whatever advantage may be derived from my support, and not to refuse my assent to a proposal for educating the people, merely because it does not come before us in the shape of a legislative enactment. I will not now incur the risk of adding to the evils of popular ignorance, by insisting upon the objections which I urged in 1839, and which I continue strongly to feel, though I confess I am by no means impressed with a conviction that I ought now to urge them upon the attention of the House as strenuously as I did upon that occasion. I need scarcely remind hon. Members that for six years we, who belonged to the Government, have not only acquiesced, but the House has acquiesced, in giving the Privy Council those powers which it is now only proposed to render more efficient for the purposes of education. At first the amount placed at the disposal of the Privy Council did not exceed 30,000*l.*; it was next advanced to 75,000*l.*; it was then further extended to 100,000*l.* We were then charged with the responsibilities attaching to the Government of the country. In 1840 and 1841, Parliament still acquiesced, and there seemed no disposition to renew the discussion of 1839, although the vote had been gradually increased from 30,000*l.* to 100,000*l.*, without the House requiring that its character should in any respect be altered. Shall we, then, be charged with inconsistency if now, in 1847, we seek even an imperfect remedy for evils with the amount of which we are most deeply impressed? It is asked, have we done nothing since 1842; have we made no attempt to promote the education of the people? I presume the House can scarcely have forgotten that my right hon. Friend the late Secretary of State for the Home Department was exposed to much obloquy when he introduced a measure for giving education to the factory children. My right hon. Friend thought he might mitigate the probable hostility to that scheme of education, if he proceeded by means of legislative enactment. We made that attempt; but unfortunately we met with no great encouragement, and my right hon. Friend abandoned the undertaking, both he and I deeply regretting the failure of an attempt which was intended and calculated to unite all parties in devising some scheme which should, without violating the conscientious feelings of any class of Her Majesty's subjects, impart increased facilities to the business of education. An attempt to accomplish that object is now made, in 1847; shall we incur the responsibility of exposing it to the chances of a failure? Shall we compute the thousands who are born every week, and not provide for them the means of moral, intellectual, and religious culture? When I recollect the state in which that part of the population is left, I am ready to give my consent to any measure which, without violating the consciences of parents, may afford some remedy for this monstrous evil. In the course of the present discussion, we have heard much able argument as to the right and authority of the State to interfere in the education of the people; and the House have only heard a very faint denial of that right and authority. As far as I have been able to ascertain, there does not exist on the part of the great body of the Dissenters any disposition to deny the importance of popular education, or the right of the State and the duty of the State to promote that education. I apprehend that the chief objection of the Nonconforming body is not so much a denial of the right and authority of the State to regulate the education of the people, as it is a doubt whether any Government could effectively carry out a complete scheme of popular education. Now, to me it appears, that they can only object to the present plan, upon the ground that the voluntary system is a preferable mode of effecting the object in view—that the voluntary plan is more eligible than that of Government interference. If I could be brought to believe that non-interference on the part of the State was to be preferred to interference, I should at once say it is much better to avoid any exercise of that authority and right which I believe the State to possess. But all the evidence that has ever come before us upon this point concurs in showing that the voluntary system has failed; and shall we then leave the people unaided by the assistance which Government interference may supply? I believe no consideration would induce us to do so if we could know the extent of evil which has arisen from the present ignorance of the people; if there could be presented to us a full account of all the crime which has been generated by the want of education—if we could obtain a statement extending over the last fifty years, of all the vice which the evil example of parents impressed upon the character and disposition of children, the violence and rapine which ignorance has occasioned, the offences against life and property which a neglect of education has superinduced—if we could only enumerate how many immortal souls have been within that period sent into the presence of their Creator and their Judge, ignorant of the great truths of religion and the principles of Christianity, we should shudder at our own grievous disregard of duty, and struggle without delay to repair the evils of our past neglect. I look to the volumes of evidence which have been printed within the last few years. I hold in my hand one of the volumes of reports made by the Commissioners appointed to consider the state and condition of the children employed in several districts of the mines. This single report refers to the condition of the children in the Forest of Dean, North Somerset, the West Riding of Yorkshire, North Staffordshire, Lancashire, Cheshire, and Derbyshire, North Wales, and South Wales. This evidence has been collected, and these opinions are expressed by men of the highest integrity and the greatest ability, and their reports come to the same conclusion—that there is a complete degradation of the people in many parts of the country on account of the neglect of education. I believe we are little aware of the extent to which that neglect has gone. There are some returns of the number of children educated, and the result of inquiries into the nature of the education given them. There is a population of 300,000 or 400,000 children, and of that number 100,000 are educated, and 200,000 have received no education whatever. We are shocked at this disproportion; but, if we were acquainted with the nature of the education given to these 100,000, our reflection would be more painful still. I have not come to a conclusion upon this subject without maturely considering the whole state of it. I know that any reference to documents of this kind is not very palatable to the House; but, in my opinion, they are of much more importance than mere speculative arguments. I will take the case of a district of great importance—that of Oldham, in the county of Lancaster; and I look to the evidence of a clergyman of the Church of England, the curate of St. James's parish, in Oldham; and what is the account he gives of the state of education, the extent of education amongst the poor, and the nature of it? I am now considering the question, whether it is safe to trust to the voluntary system for the education of the poor, and that the rule of the State ought to be non-interference. This clergyman of the Church of England says—

> "There is in this district no public day-school whatever. I have made several attempts to establish one, but in vain, although I have received assistance from the National Society, and from a Parliamentary grant. I got a house built containing one large school-room and two smaller rooms; but it was found impossible to procure an adequate attendance of scholars to pay the master. Three masters attempted the conducting of the school, but without success. It was only a week ago when the last person gave up the undertaking as hopeless."

Now, observe that this gentleman states (and this is no bad specimen) that there are no public day-schools whatever. It is true there were Sunday schools established; and the parents of the children, being employed in mines, did not object to their going to Sunday schools, because their attendance there does not interfere with their work during the week; and the children who attend the Sunday schools are returned as educated children. Now, this is the opinion given by the same gentleman in respect to the attendance at the Sunday schools:—

> "As a means of religious instruction, it is obvious that these schools, as they are conducted, are imperfect in the extreme, as these secular

schools do more harm than good by lowering the people's estimation of the value of secular instruction."

I think that this clergyman may very well draw the inference that these kind of schools do more harm than good, because the secular instruction given in them is extremely defective, and the religious instruction almost as imperfect. The evidence of the boys themselves is equally decisive. A boy was examined of the age of fifteen, who said that he had attended the school for five or six years, and he could only read, and not write, whilst another boy could not read nor write. In the course of a few months, this gentleman said, the parents not paying for their children's education at a public day-school, the masters left, and no competent person remained to superintend it. Is not this a proof that the voluntary principle cannot be depended upon to insure a competent system of instruction? Now, what is proposed? It is proposed, in the first place, to elevate the character of the schoolmasters—to exalt their condition in the scale of society—to give them employment and encouragement by the aid of the Government. As to the objection that this will extend the patronage of the Government, it is really too futile to require to be seriously answered. The most important part of the Minutes of Council, in my opinion, is their tendency to raise the character of schoolmasters; at least to secure competent schoolmasters, who are now glad to abandon the tenure of their office, which is a most precarious one, against the temptations offered by merchants and manufacturers, who, when they see young men of good character and ability, tempt them by higher salaries to leave their occupation. And is it to be expected that you can procure the services of good schoolmasters, unless, by the aid of the State, you can give them an adequate reward, and hold out to them some prospect, when they are incapacitated for the performance of their duty, of obtaining something by way of a retired allowance? Sir, I deeply regret that this measure has met with the opposition of a part of the Nonconformist body. I entertain great respect for the Nonconformist body, and I trust I have shown my sentiments towards them on former occasions, and in advocating the Dissenters' Chapels Bill; and, attached as I am to the Established Church of England, I should be sorry to give to that Church any advantage by means of this Education Vote, if I thought it unjust to the Dissenters. We should be thereby forgetful of the past services of the Dissenting body in the cause of education; for when the members of the Church of England were indifferent in that cause, an example of zeal was set them by the Nonconformists; and if I thought their objections to the Minutes entitled to any weight, if I gave to the Minutes any support, it would be a very reluctant and a greatly qualified support. But, on the contrary, after maturely considering the objections of the Dissenting body, I do not believe them to be founded in truth. I think the principle of aid is a perfectly fair one. The Minutes do not overturn, they adopt, the voluntary principle. This is no State interference with the voluntary principle; the measure will establish schools by the intervention of the voluntary principle, which will become more effectual by the aid of the Government. It is the opinion of the Dissenters that the measure will be to the advantage of the Established Church, and the Dissenters complain of this as an act of injustice; but if this proposition had been made ten years since, what would have been thought of it then by the Established Church? The Church, being deeply impressed with the magnitude of the evils that exist, and the necessity for waving all objections, is willing to be put on an equality with the Dissenters. The Church is not asking anything that is not fair and equitable; but if the members of the Church are more zealous than others—if they are disposed to contribute more than others, on what principle will you withhold from the Church that aid which is to be proportioned to the amount raised by zealous exertions? Do they ask it on account of the superior numbers of the members of the Establishment? If they do so, can anything be more just? But if it is not given on account of numbers, does not superior zeal and liberality constitute also a claim for increase of aid? Try it on what principle you will, you can urge no objection to those votes on account of the supposed advantage which is gained by the Church. I am not denying that the Church is powerful—I rejoice that it is so. I think the power of the Church is increasing; and why is it increasing? My firm belief is, that the power of the Church is increasing, and that her hold on the affections of the people of this country is becoming strengthened, because she is becoming more awake to the magnitude of the duties she has to perform. My firm belief is, that the Church has acquired this increased hold on the respect and veneration of the people of this country by her willingness to make timely and salutary reforms—by her readiness to consent to the reduction of superfluous emoluments for the higher orders of the Church, and to devote those emoluments to an increase of church accommodation and the increase of the spiritual charge of the people by inferior labourers. I believe it is these things that have greatly increased her power. This is the legitimate source of her power, for it is not Government aid or the Government grants that are giving the Church increased influence; for the Church would be powerful, as powerful without this Government aid as it is with it. In what manner does the Government increase the power of the Church in any district where she is more numerous than the friends of dissent? Why has it that power over the education of the people? It is—and I say it not invidiously towards Dissenters, for I have given my full amount of praise to the Dissenters—it is because the Church is becoming aware of the necessity, both for temporal and spiritual objects, of attending to the education of the people; it is because her conduct is guided by that necessity that this influence has been gained; and that legitimate influence on the part of the Church will not be diminished by the principle acted upon in these Minutes, which is one of perfect equality. On these grounds, Sir, I shall give my support to the proposal of the noble Lord. And on the same grounds I cannot vote for the Motion of the hon. Gentleman. I think we have had abundant inquiry. I think the facts are well known. If we resort to the evidence of which we are already in possession, we shall need no further inquiry to convince us that the institutions of this country are not sufficiently capacious, as they at present exist, to provide for the education of the countless millions engaged in the pursuits of labour. In the course of this discussion a question of great importance has arisen with regard to the condition of other subjects of Her Majesty than either those who are members of the Established Church or those who are usually called Dissenters. I speak of the Roman Catholic population. I am of opinion that no establishment of general education, even in England, could be deemed complete which excluded the Roman Catholic population. The noble Lord (Lord J. Russell) says, that there is no alteration made in the principle of the Minutes of 1839; but in that respect I differ from the noble Lord. I think you are about, practically at least, to make a material difference on the principles on which you have hitherto acted. You are about to admit to a participation of the advantages of this vote members of the Dissenting community who have hitherto been excluded. Hitherto, the Wesleyan body has not, practically at least, had any participation in this vote. They were not in connexion either with the National Society or the British and Foreign School Society, and, therefore, the rule which excluded from the participation of the Parliamentary vote any society not in connexion with those institutions, excluded the Wesleyans from any pecuniary advantage from the vote. You are about to alter the principle of the Minutes in that respect. You have given assurances to the Wesleyans that the rule which has hitherto prevailed shall not be applicable to them—that their schools, although they are not in connexion with either of the present societies, shall be entitled to aid—and that the authorities of the Wesleyan body shall be consulted in respect to the inspection of their schools. Why, I say, so far as the condition of the Roman Catholics is concerned, that is a material difference—it is a material difference in point of feeling as well as in point of practice. You are going to widen the sphere of the measure, and the more wide that sphere is the more marked is the exclusion. Therefore, I think the time is come—and I am the more anxious to avow it because the avowal of opinions, in this respect, may be unpopular—I think the time is come when justice and good policy will require from you the mature consideration of the position of the Roman Catholic population. I will take the case of the Roman Catholic population of Manchester or Liverpool, or any other great town. Let us look at this question without reference to the alteration of this or that Minute, or to the meaning of their particular terms, or whether the word "Scripture" means the authorized version only, or whether the Roman Catholics are excluded, from not being in connexion with the two great societies to which I have alluded. Let us look at the question by itself, and seeing that we are about—I will not say to adopt a permanent system, but a Minute the same as that on which we have been acting—let us see, whether or no we can exclude, on any condition, the Roman Catholic population. I know, as has been said by a right hon. Friend, that it may be expedient to postpone the consideration of this question for some months. I am not disposed to urge the hasty adoption of any measure of this nature; but I am not disposed, on the other hand, to leave any doubt as to the opinions which I hold. I will take the population of Manchester, then, in which there is a district called the "Irish town," in consequence of the great numbers of Irish resident there, amounting to from 60,000 to 70,000. Now, what class of people are these? They come over there relying on their industry, and they bargain for their labour. They have no natural protectors—there are few wealthy Catholics immediately connected with Manchester to care for their interests—and there is no one probably to superintend their education. There are 60,000 or 70,000 of them; and how is their education to be attended to? They have the priest, no doubt; but I apprehend the means of the priest to provide a system of education are too scanty for such a purpose. Is it for the advantage of the State that the children of these 60,000 or 70,000 people should be brought up in ignorance and vice? I confess I cannot conceive a more urgent case, not so far merely as the intellectual advantage of these Roman Catholics is concerned; but, if there be any virtue in our principle—if the true remedy against barbarism and crime and degradation of character is instruction—if this principle be applicable (and it is on this principle we are all agreed)—it is not for the advantage of the Protestant community that these Roman Catholic children should not be immersed in ignorance. So far as their position is concerned, I can conceive no stronger claim on the part of a provident and paternal Government than attention to their concerns. I will not be tempted in the least spirit of party to consider this question; I will not be induced by the observations of the noble Lord to refer to the absence, for the last five or six years, of any provision being made for those Roman Catholics. It may be there has not been earlier attention to this subject; but that is just the reason why the evil should now be remedied. I believe that the prevailing opinion in this House is, that it will be both just and politic to make some provision for the education of Roman Catholics. I do not deny that the subject is one of great importance, or that it presents great difficulties; but they are difficulties which, I think, may easily be solved. I cannot conceive that there can be many Protestant children attending Roman Catholic schools. I believe that generally the Roman Catholic school is for the education of Roman Catholic children. If there be schools in which joint education is given, then it is just on your part to require that your principle as to mixed education should be applied. But, to deal more particularly with schools in those large communities, and with that case which is most frequent, you find there Roman Catholic schools imperfectly provided with the means of instruction, and which are exclusively Roman Catholic. I may be told that if there be such schools, it would be a violation of principle to provide them with the means of educating children in error; but surely, by so providing those means, you are more likely to soften their minds and to conciliate them towards Protestant views—nay, without the attempt at conversion, to enlighten their understandings, and therefore to prepare their minds for the reception of the truths you profess, and to which you adhere, than if you doom them to perpetual exclusion from every civil advantage, and, adhering strictly to your religious principle, preferring to have a set of uneducated savages, instead of enlightened Roman Catholics, who had been educated under your parental care. I am firmly persuaded that it is not only for the civil advantage of the State, but also for the advantage of Protestantism itself, to provide, without compromising a principle, for the intellectual and secular education of these children. For it is probable that secular education is all that you would be called on to provide in the case of the Roman Catholic. Upon this subject, I heard with great satisfaction the speech of the right hon. Baronet the Home Secretary, because it appeared to me to be a speech which, wisely suited, perhaps, to the temper of the House, held out greater hopes of an early settlement of the question than we had been led to expect from the speeches which preceded his. I know well the difficulties of the subject. I remember the difficulties it presented to the late Government, and I remember the failure of our efforts with respect to it. I know, also, that to secure a present imperfect good, it is wise to proceed with caution; but, still with every desire to do the noble Lord and the Government what I consider to be an act of justice, I avow my opinion that the change about to be made in the Minutes of Council and in the system of public instruction does engender the necessity, in point of justice and good policy, of providing some means of aiding Roman Catholic schools. With the hon. Baronet opposite (Sir R. Inglis) I will deal fairly; I am so resolved on the point, I see so great an evil, and how important it is to provide a remedy, that I am little disposed to throw any obstruction in the way of the measures of Her Majesty's Government. I think there is a prospect of passing them; and I understand from the declaration of the Government, that we may rely on an early consideration of the condition of the Roman Catholics with respect to this subject; and I shall not be inclined to take the risk of prejudicing the consideration of the general measure by any compulsion on the Government with regard to their not having proposed a scheme of education for Roman Catholics. But having made the change they have, I do entreat them not to receive the support of any body towards their present measure under the erroneous impression that the Roman Catholics ought to be excluded. There ought to be no such exclusion. And if there be a probability of an early election, it may be more important that there should be no misunderstanding on that subject. If the Government recognise the principle which I understand them to recognise, and openly to aver that they recognise, then they have given fair notice to all parties that, although some delay may take place in the preparation of the additional Minutes, yet that the principle is recognised that you must not doom one class of Her Majesty's subjects to perpetual exclusion from the benefit of the public grants for education, on account of the objections of other classes to their being allowed to participate. I call on persons of all religious persuasions to look back at what has been the cause of the delay on the subject of education. Originally that cause was fear; from a fear that general instruction would be dangerous to the institutions of the country. That passed away. It was succeeded by a great indifference as to this most important question —an indifference from which the Dissenting body were the first to be awakened. They set the example of activity in the cause of education. They were followed by others; and if it was late, yet there was certainly a great activity in the promotion of education. But now, the cause of the delay has been different. The cause now is to be found in our religious dissensions. We are all anxious for a system of education; yet we are all afraid to agree to any measure that is proposed, because we fear that some other body from whom we dissent will gain some advantage. One day the Dissenters refuse their assent, because they are afraid the Church will derive some advantage; on the next occasion, the Church is opposed to any measure, for fear of some recognition of the principle of dissent. But in the mean time, while all these disputes go on, it is for us to ask ourselves what is to become of the 800 children who are born every day? What is to become of the 300,000 persons who are every year added to the population? While we thus dispute, we are neglecting what to all Christians ought to be a subject of deep consideration—namely, the enlightenment of the whole people in Christian principles, the improving of their intellectual culture, and the teaching them the principles of that religion in which we all believe, notwithstanding our differences on minor points. I believe that true policy, no less than charity, and a regard for religious truth, ought to encourage us to lay aside these differences, to contemplate the magnitude of this evil, and to teach the children of all sects the great truths of Christianity. I am for a religious as opposed to a secular education. I do not think that a secular education alone would be acceptable to the people of this country. I believe, as the noble Lord (Lord J. Russell) has said, that such an education is only half an education, but with the most important half neglected. And believing that a religious education is at least as important as a secular education, I think it is for the interest of religion, and above all of the Protestant religion, which shrinks not from the light, which rejoices in the spread of knowledge —I believe it is above all for the advantage of that Protestant religion which I profess, that the people should not be left in a state of ignorance; but that, by receiving intellectual culture, their minds should be prepared for the reception of those great truths which are in the first instance the foundation of all religion, but more especially of that religion which most courts inquiry, which most appeals to self-judgment, and which, the more it is examined, the more satisfaction it gives to the understanding of every enlightened and cultivated man.

Mr. PLUMPTRE said, both the right

hon. Baronet, and the noble Lord at the head of the Government, had spoken of the "difficulties" of this question; yet the people of this country were neither unreasonable nor unjust. They both knew well that the difficulty was, that the people of this country were a religious people, and were not to be misled by sophistry. The leaders on both sides, however, had spoken out plainly; it was clear enough whither they were tending, and whither they were disposed to go, if it were not for this "difficulty." He was glad, however, that there was no more deceit, and that the people now knew what it was they were to look for. The Protestant party was no small or uninfluential one; it had been told very openly what it was to look for, and it could not place confidence in its leaders in that House either on one side or the other. When the time came, that party would know what sort of representatives it was to seek; and, if he did not greatly mistake it, it would endeavour to secure those who would be true and faithful representatives of Christian and Protestant feelings. It would see if it could not send such men to that House as would be able to defeat the schemes and measures of the leaders on either side, be they ever so able in argument or exalted in station. Those were his feelings with regard to this question; and he would just ask whether it was expedient, because they had a poor population in Manchester and Liverpool rising up in ignorance, to adopt a language which showed they had very little respect for principle? These measures might be very liberal; it might be liberalism, but it was not principle; it might be expediency, but it was not Christianity. [" Oh, oh!"] Those taunting cheers should not deter him from speaking the truth; he trusted he should never be afraid to declare his honest opinions, which he believed from the bottom of his heart to be those of the larger portion of the religious people of England. Let right hon. Gentlemen beware, while they educated the people in religions opposed to one another, that they did not bring on themselves the charge of being infidels. He could not bring himself to vote against the measure, and he was barely satisfied in supporting it, since it involved the dangerous principle of endowing alike truth and error,

Mr. NEWDEGATE wished to hold himself uncompromised by anything beyond voting for the present proposition; and he would ask the noble Lord one question: As he had, on the present Minutes, thought fit to appeal to Parliament, were the people to expect, in case of any future Minutes of the Council recommending a plan of popular education, that he would pursue the same course?

Lord J. RUSSELL said, if any sum of money should be asked for under future Minutes, they would, of course, be submitted to the consideration of Parliament.

Mr. T. DUNCOMBE expressed a wish to withdraw the latter portion of his Amendment, which had been construed to imply a censure upon Her Majesty's Government, and stated that it was not his intention that the Motion should be regarded as conveying a censure upon the Ministry.

Mr. SPEAKER informed the hon. Gentleman that he could not withdraw any portion of his Motion without the consent of the House.

Amendment withdrawn, and the following being the first portion of the original Amendment was put as an Amendment:—

> "That, previous to any grant of any public money being assented to by this House for the purpose of carrying out the scheme of National Education, as developed in the Minutes of the Committee of Council on Education in August and December last (which Minutes have been presented to both Houses of Parliament by command of Her Majesty), a Select Committee be appointed to inquire into the justice and expediency of such scheme, and its probable annual cost."

The House divided on the Question, that the words proposed to be left out stand part of the Question:—Ayes 372; Noes 47: Majority 325.

List of the Ayes.

Ackers, J.
Acland, Sir T. D.
Acland, T. D.
Adderley, C. B.
Ainsworth, P.
Aldam, W.
Alford, Visct.
Anson, hon. Col.
Antrobus, E.
Archdall, Capt. M.
Arkwright, G.
Armstrong, Sir A.
Arundel and Surrey, Earl of
Attwood, J.
Austen, Col.
Bagot, hon. W.
Bailey, J. jun.
Baillie, Col.
Baillie, H. J.
Baillie, W.
Baine, W.
Baldwin, B.
Balfour, J. M.
Bankes, G.
Bannerman, A.
Barclay, D.
Barkly, H.
Baring, H. B.
Baring, rt. hon. F. T.
Baring, T.
Barnard, E. G.
Barrington, Visct.
Bateson, T.
Beckett, W.
Bell, M.
Bell, J.
Bellew, R. M.
Bennet, P.
Bentinck, Lord G.
Bentinck, Lord H.
Berkeley, hon. Capt.
Bernal, R.
Blackburne, J. I.
Blakemore, R.
Borthwick, P.
Botfield, B.
Bouverie, hon. E. P.

Bramston, T. W.
Broadley, H.
Broadwood, H.
Brooke, Lord
Brown, W.
Buck, L. W.
Buckley, E.
Bulkeley, Sir R. B. W.
Buller, C.
Buller, E.
Buller, Sir J. Y.
Bunbury, W. M.
Burroughes, H. N.
Byng, rt. hon. G. S.
Callaghan, D.
Cardwell, E.
Carew, W. H. P.
Cavendish, hon. C. C.
Cavendish, hon. G. H.
Cayley, E. S.
Chaplin, W. J.
Chapman, A.
Chapman, B.
Chelsea, Visct.
Chichester, Lord J. L.
Christie, W. D.
Christopher, R. A.
Chute, W. L. W.
Clayton, R. R.
Clerk, rt. hon. Sir G.
Clifton, J. T.
Clive, Visct.
Clive, hon. R. H.
Colebrooke, Sir T. E.
Collett, W. R.
Compton, H. C.
Coote, Sir C. H.
Copeland, Ald.
Corry, rt. hon. H.
Courtenay, Lord
Cowper, hon. W. F.
Craig, W. G.
Cripps, W.
Currie, R.
Dalmeny, Lord
Dalrymple, Capt.
Dashwood, G. H.
Davies, D. A. S.
Deedes, W.
Denison, W. J.
Denison, J. E.
Denison, E. B.
Dick, Q.
Dickinson, F. H.
Divett, E.
Douglas, Sir H.
Douro, Marq. of
Drummond, H. H.
Duckworth, Sir J. T. B.
Duff, J.
Dugdale, W. S.
Duke, Sir J.
Duncombe, hon. A.
Duncombe, hon. O.
Dundas, Adm.
Dundas, Sir D.
Du Pre, C. G.
East, Sir J. B.
Easthope, Sir J.
Ebrington, Visct.
Egerton, W. T.
Egerton, Sir P.
Emlyn, Visct.
Entwisle, W.
Estcourt, T. G. B.
Evans, W.
Ewart, W.
Fielden, J.
Fellowes, E.
Ferguson, Col.
Ferguson, Sir R. A.
Ferrand, W. B.
Filmer, Sir E.
Finch, G.
Fitzmaurice, hon. W.
Fitzroy, Lord C.
Floyer, J.
Forbes, W.
Forster, M.
Fox, S. L.
French, F.
Fuller, A. E.
Gaskell, J. M.
Gibson, rt. hon. T. M.
Gill, T.
Gladstone, Capt.
Glynne, Sir S. R.
Gooch, E. S.
Gordon, Adm.
Gore, M.
Gore, W. O.
Gore, W. R. O.
Gore, hon. R.
Goring, C.
Graham, rt. hon. Sir J.
Granby, Marq. of
Granger, T. C.
Greene, T.
Grey, rt. hon. Sir G.
Grimsditch, T.
Grosvenor, Lord R.
Guest, Sir J.
Halford, Sir H.
Hallyburton, Lord J. F.
Halsey, T. P.
Hamilton, W. J.
Hamilton, Lord C.
Hanmer, Sir J.
Harcourt, G. G.
Harris, hon. Capt.
Hatton, Capt. V.
Hawes, B.
Hayter, W. G.
Heathcoat, J.
Heathcote, Sir W.
Heneage, G. H. W.
Heneage, E.
Henley, J. W.
Herbert, rt. hon. S.
Hervey, Lord A.
Hildyard, T. B. T.
Hobhouse, rt. hon. Sir J.
Hogg, Sir J. W.
Hollond, R.
Holmes, hon. W. A.
Hope, Sir J.
Hope, A.
Hope, G. W.
Hotham, Lord
Houldsworth, T.
Howard, hon. C. W. G.
Howard, hon. J. K.
Howard, hon. E. G. G.
Howard, P. H.
Howard, hon. H.
Howard, Sir R.
Hudson, G.
Hurst, R. H.
Hussey, T.
Hutt, W.
Ingestre, Visct.
Inglis, Sir R. H.
Irton, S.
James, W.
James, Sir W. C.
Jermyn, Earl
Jervis, Sir J.
Johnstone, Sir J.
Johnstone, H.
Jolliffe, Sir W. H. G.
Jones, Capt.
Kemble, H.
Knight, F. W.
Labouchere, rt. hon. H.
Lambton, H.
Langston, J. H.
Lascelles, hon. W. S.
Law, hon. C. E.
Lawson, A.
Legh, G. C.
Le Marchant, Sir D.
Lemon, Sir C.
Liddell, hon. H. T.
Lincoln, Earl of
Lindsay, Col.
Loch, J.
Lockhart, W.
Lopes, Sir R.
Lowther, hon. Col.
Lyall, G.
Lygon, hon. G.
Macaulay, rt. hon. T. B.
Mackenzie, T.
Mackenzie, W. F.
Mackinnon, W. A.
M'Neill, D.
Mahon, Visct.
Maitland, T.
Mangles, R. D.
Manners, Lord J.
Marjoribanks, S.
Marshall, W.
Martin, C. W.
Marton, G.
Masterman, J.
Matheson, J.
Maule, rt. hon. F.
Maxwell, hon. J. P.
Meynell, Capt.
Mildmay, H. St. J.
Miles, P. W. S.
Miles, W.
Milnes, R. M.
Milton, Visct.
Mitchell, T. A.
Moffatt, G.
Monahan, J. H.
Morgan, O.
Morpeth, Visct.
Mostyn, hon. E. M. L.
Munday, E. M.
Mure, Col.
Neeld, J.
Neville, R.
Newdegate, C. N.
Newry, Visct.
Nicholl, rt. hon. J.
Norreys, Lord
O'Brien, A. S.
O'Connell, M. J.
O'Conor Don
Ogle, S. C. H.
Ord, W.
Ossulston, Lord
Oswald, A.
Owen, Sir J.
Packe, C. W.
Paget, Col.
Pakington, Sir J.
Palmer, R.
Palmerston, Visct.
Parker, J.
Patten, J. W.
Peel, rt. hon. Sir R.
Pennant, hon. Col.
Philipps, Sir R. P. B.
Philips, M.
Pinney, W.
Plumptre, J. P.
Plumridge, Capt.
Polhill, F.
Pollington, Visct.
Ponsonby, hn. C. F. A. C.
Prime, R.
Protheroe, E. D.
Pusey, P.
Reid, Sir J. R.
Reid, Col.
Repton, G. W. J.
Ricardo, J. L.
Rice, E. R.
Rich, H.
Richards, R.
Rolleston, Col.
Romilly, J.
Round, C. G.
Round, J.
Rumbold, C. E.
Russell, Lord J.
Russell, Lord C. J. F.
Russell, C.
Rutherfurd, A.
Ryder, hon. G. D.
Sanderson, R.
Sandon, Visct.
Scott, hon. F.
Scrope, G. P.
Seymer, H. K.
Seymour, Lord
Seymour, Sir H. B.
Sheil, rt. hon. R. L.
Sheridan, R. B.
Shirley, E. J.
Shirley, E. P.
Smith, A.
Smith, J. A.
Smith, rt. hon. R. V.
Smyth, Sir H.
Somerville, Sir W. M.
Sotheron, T. H. S.
Stansfield, W. R. C.
Stanton, W. H.
Staunton, Sir G. T.
Stewart, J.
Stuart, Lord J.
Stuart, H.
Stuart, J.
Strutt, rt. hon. E.
Sutton, hon. H. M.
Talbot, C. R. M.
Tancred, H. W.
Thesiger, Sir F.

Thompson, Ald.
Tollemache, J.
Tower, C.
Towneley, J.
Traill, G.
Trelawny, J. S.
Trevor, hon. G. R.
Trotter, J.
Turner, E.
Vane, Lord H.
Verner, Sir W.
Villiers, Visct.
Vivian, J. H.
Vivian, J. E.
Vyse, H.
Waddington, H. S.
Walker, R.
Wall, C. B.
Walpole, S. H.
Warburton, H.
Ward, H. G.
Watson, W. H.
Wellesley, Lord C.
Williams, W.
Wilshere, W.
Wodehouse, E.
Wood, rt. hon. Sir C.
Wood, Col. T.
Worcester, Marq. of
Wortley, hon. J. S.
Wrightson, W. B.
Wyse, T.
Young, J.

TELLERS.

Tufnell, H.
Hill, Lord M.

List of the NOES.

Aglionby, H. A.
Berkeley, hon. C.
Berkeley, hon. H. F.
Berkeley, hon. G. F.
Bowring, Dr.
Bright, J.
Brocklehurst, J.
Brotherton, J.
Browne, R. D.
Clay, Sir W.
Collett, J.
Collins, W.
Conyngham, Lord A.
Crawford, W. S.
Dennistoun, J.
D'Eyncourt, rt. hn. C. T.
Duncan, G.
Dundas, F.
Ellis, W.
Escott, B.
Evans, Sir De L.
Gisborne, T.
Hall, Sir B.
Hay, Sir A. L.
Hinde, J. H.
Hindley, C.
Hodgson, R.
Hume, J.
Humphery, Ald.
Lawless, hon. C.
Macnamara, Major
M'Carthy, A.
Marsland, H.
Morris, D.
Muntz, G. F.
Napier, Sir C.
Osborne, R.
Pattison, J.
Pechell, Capt.
Philips, G. R.
Roebuck, J. A.
Scott, R.
Strickland, Sir G.
Thornely, T.
Wakley, T.
Wawn, J. T.
Yorke, H. R.

TELLERS.

Duncombe, T.
Duncan, Visct.

House adjourned at One o'clock.

HOUSE OF LORDS,

Friday, April 23, 1847.

MINUTES.] PUBLIC BILLS. 2ª Customs Duties; Insolvent Debtors Act Amendment; Vexatious Actions, Protection against; Harbours, Docks, and Piers Clauses.

3ª and passed:—Fever (Ireland).

Received the Royal Assent.—Exchequer Bills; Mutiny; Marine Mutiny; Indemnity; Markets and Fairs Clauses; Gas Works Clauses; Commissioners Clauses; Waterworks Clauses; Troops during Elections; General Register House (Edinburgh).

PETITIONS PRESENTED. By Lord Redesdale, from Petworth, for Repeal of the Poor Removal Act, and for Inquiry whether it may not be advisable to adopt a National Assessment for the Relief of the Poor.—From Guardians of the Epping Union, and Magistrates of Sussex, for the Adoption of a Measure, making the Landlords of Tenements, where the Rents are under Six Pounds, liable to the Poor's Rates.—From Dissenters of Portsmouth, and Loddiswell, against the Government Plan of Education.—From Plymouth, for the Enactment of Sanitary Regulations.—By the Bishop of Durham, from Holsingham, in favour of the Government Plan of Education.—From Dursley, and other places, for the Repeal of the Poor Removal Act.—By the Duke of Richmond, from Maerscar, and other places, for Alteration of Lunatic Asylums and Pauper Lunatic Acts.—From Dublin, and several other places, against the Customs Duties Bill.—From Scotch Distillers, for Alteration of the present Bonding System.

THE EXECUTION OF CATHERINE FOSTER.

The MARQUESS of LANSDOWNE said, he wished to refer to a statement made by the Marquess of Westmeath on Monday last, who, on that occasion, stated that he had been led, and not unnaturally so, by an account which he had read in the newspapers, to believe that a very great impropriety and want of care had occurred with respect to the mode of inflicting the execution of capital punishment on an unhappy convict at Bury St. Edmund's on Saturday last. On that occasion an unfortunate woman was executed for the murder of her husband, she having previously confessed her guilt. The noble Marquess stated that it had been reported that the punishment was carried into effect in a manner which, if true, must be most wounding to their Lordships' feelings, and would naturally be, as the noble Marquess stated that it was most revolting to the feelings of those who witnessed the execution. In consequence of this statement, he (the Marquess of Lansdowne) had considered it to be his duty to make inquiry into the circumstances; and he was happy to inform the noble Marquess and their Lordships, that so far from being able to confirm the statement of the noble Marquess, on the contrary, he had the authority of several most respectable persons, among whom were a clergyman and two magistrates of Bury St. Edmund's, for stating that no occurrence of the description alluded to by the noble Marquess did take place; but that the execution was conducted with the greatest propriety and solemnity, and that the unfortunate person did not undergo a greater degree of suffering than what necessarily belonged to the infliction of the punishment to which she had been sentenced. He had letters from those who were present on the occasion, stating that every proper attention was paid to the unhappy convict—that she expressed her gratitude for the kindness that had been shown towards her—and that nothing could exceed the awe and solemn effect which the execution produced on those who had assembled to witness it. It was quite true, some person had made application for admission to the gaol on the morning of the execution, but was refused; and that circumstance might perhaps have given rise to that sort of statement which the noble Marquess had seen in the newspapers, but which statement was really contrary to the fact. The noble Marquess, he was sure, would agree with him that everything was not true that appeared in the newspapers.

The MARQUESS of WESTMEATH said, he was happy to hear the explanation of the noble Marquess. The subject was well worthy of being noticed. In the north of England, not long back, a similar case had occurred.

CUSTOMS DUTIES BILL—PETITION.

LORD STANLEY said, some petitions had been placed in his hands from different parts of the country, in opposition to the measure about to be submitted to their Lordships' consideration by the noble Earl. The first of these petitions which he would present, proceeded from the Lord Mayor, aldermen, and burgesses of the city of Dublin, under their corporate seal; and it complained of the Bill as being unequal and unjust with regard to Ireland. He had another petition to present, the contents of which he would beg to state more in detail, as it would enable him, at a future period of the debate, to refrain from many remarks with which he otherwise would be under the necessity of troubling their Lordships. The petition which he held in his hand proceeded from the whole of the distillers resident in the neighbourhood of this metropolis. Their Lordships, or at least such of their Lordships as were not conversant with the subject, would be surprised to hear that the whole number of these petitioners did not exceed eight, and that in all England there were only three more. A few persons, it would thus appear, had a monopoly of the trade in their hands. This monopoly was, no doubt, partly owing to the advantages possessed by great capital over small capital in almost any branch of industry; but still more to the restrictions required by Parliament for the purpose of facilitating the collection of the Excise duties. Although these petitioners, who, he should state, were unanimous in their application to their Lordships, were only eight in number, the interest involved in their concerns might be measured by this fact, that the Excise duties paid on the articles produced by these eight gentlemen amounted to no less than 3,500,000*l.* per annum, the whole Excise duties on spirits in the United Kingdom being about 6,000,000 sterling. The whole trade of distilling involved a payment of 6,000,000 a year to the Excise, and involved moreover the application to that particular purpose of no less than 1,300,000 quarters of grain in the course of the year. Therefore, although the number of the petitioners was small, the interest which they represented was very great, and any legislation on their Lordships' part ought to be proportionately careful and cautious. The noble Lord then proceeded to read from the petition the restrictions to which the petitioners were subjected in consequence of the Excise laws, and which they stated prevented them from adopting any improvement in the manufacture of spirits. He stated, that it might be convenient if he took that opportunity of observing to their Lordships, that there was a difference between the trade of distilling in this country and in Ireland and Scotland. In Ireland distillation was carried on from raw corn principally, but a considerable portion of malt was also used. In Scotland, distillation was wholly from malt, while in England it was almost entirely from raw grain; and therefore English spirits were known by the name of "raw spirits." In order to bring the article into the market in this country, it was necessary for it to go through the further process of rectifying, and for the safety of the revenue, that process of rectifying was not permitted to be carried on in the same premises, or within a quarter of a mile of the locality where the raw spirit was made; so that the English distiller of spirits was compelled to occupy three localities; he could not brew at the distillery, and when the spirits were distilled, they must be carried a quarter of a mile off to be rectified, before they could be made fit for consumption. These restrictions threw a great burden upon distillers, and required the investment of a large amount of capital. The petitioners went on to state, that in the last Session of Parliament Her Majesty's present Government thought fit to reduce the protecting duty in favour of the distillers of this country, from 1*s.* 6*d.* to 1*s.* a gallon. That alteration, he might remark, took place at a period when not much attention was paid to the subject; and the petitioners now complained that a reasonable time was not allowed to try the effect of the reduction which was then effected. They complained that a further reduction to 9*d.* was now proposed; and though their Lordships might think that 3*d.* was not a very important amount, they should bear in mind that the difference of protection between 6*d.* and 3*d.* amounted to no less than 15 or 20 per cent on the whole value of the article, if it were not subject to taxation. The petitioners asked their Lordships to weigh well the consequences of the change about to be made, and prayed them to avert from the petitioners the ruin which they expected should fall upon them from the operation of the Customs Duties Act. They concluded by praying to be heard before a Select Committee of their Lordships' House. The noble Lord presented petitions from Islay, Inverness, Ross, Sutherland, Dumbarton, and Stirlingshire, against the measure.

THE CUSTOMS DUTIES BILL.

The EARL of CLARENDON: I rise to move the Second Reading of the Customs Bill, and I trust it will not be necessary for me to trespass at any length upon the time of the House, for I believe that no opposition to the principle of the Bill exists, or is intended. No question of free trade is involved in this measure—it threatens no dependence upon foreign supplies—it admits no foreign competition with native industry—the question lies simply between two classes of our fellow-countrymen—the home and the colonial producers of spirits, each claiming that which they have an undoubted right to claim, and are entitled to expect, from the justice of Parliament, viz., to be placed on a footing of perfect equality; and I am sure that the Government, by whom this measure is introduced, have had no other object in view. The solution of this question has presented some difficulties, and has required much care; for it involved considerations as to the various processes of distillation, and the different materials used in different parts of the kingdom: these, together with the difficulty of reducing to their money value the restrictions imposed by the Excise, and of reconciling the statements, the manifestly exaggerated statements put forward by the distillers of the three kingdoms, with the counter-statements made by the West Indians, certainly have tended to make the subject more complicated than your Lordships will, perhaps, consider it to be in reality, if I have the good fortune to render it intelligible. My right hon. Friend the Chancellor of the Exchequer, having promised that he would be prepared to bring the diminution of the rum duties under the consideration of Parliament at an early period of this Session, devoted himself last autumn to the examination of the question; and having called upon the different parties for written statements of their views—having personally conferred with various deputations—and having consulted the practical and most experienced officers of the Excise—my right hon. Friend felt no doubt, for reasons which I will presently explain, that a differential duty of 6*d.* would fully satisfy the justice of the case, and cover such additional charges as the home producers of spirit were compelled to incur, and from which the colonial producers were exempt. Finding, however, that there still existed alarm among even the moderate—those who really desired nothing more than competition upon fair and equal terms—my right hon. Friend consented, with a view of securing, as I believe he did secure, their concurrence, to add 50 per cent to the protection which he believed to be sufficient, as did also the Excise officers, who certainly cannot ever be accused of running any unnecessary risk with the revenue. My right hon. Friend, by this, exposed himself to a charge of some inconsistency, and it gave no small dissatisfaction to the West Indians; but the House of Commons, after a full discussion, sanctioned the measure by a majority of 117, notwithstanding all the agitation upon the subject, and the canvassing which had for a long time been carried on with the activity which distinguishes our fellow-countrymen north of the Tweed, in whatever they undertake; only sixty-eight Members of the House of Commons were found to doubt the accuracy of my right hon. Friend's calculations, and to vote for further inquiry. And feeling convinced, as I do, that this protection of 9*d.* is ample—that it is not only a just but a liberal arrangement—and that it does satisfy those who are prepared for fair competition, and are not contending for monopoly—I regret that it should fail to satisfy noble Lords opposite, and that they wish for further inquiry, in the expectation, of course, of increasing the differential duty upon the produce of our colonies. Your Lordships are aware that the duty on spirits into England is 7*s.* 10*d.*, into Scotland 3*s.* 8*d.*, and into Ireland 2*s.* 8*d.* per gallon; and the object of this Bill is to place the same differential duty on rum introduced into the three countries over and above the duty paid on spirits in those countries respectively: that differential duty was last year reduced in England from 1*s.* 6*d.* to 1*s.* This is considered, upon inquiry, to be more than necessary to cover the disadvantages under which the English distiller labours. It is therefore proposed to reduce it to 9*d.*, and to make it applicable to Scotland and Ireland; and the duties on rum would then be 8*s.* 7*d.*, for England, 4*s.* 5*d.* for Scotland, and 3*s.* 5*d.* for Ireland; and from such rates I feel perfectly convinced that the Scotch and Irish distillers have nothing whatever to apprehend—that their fears, which however seem common to all classes whenever any change of duties affecting their interests are proposed, are purely chimerical; for not only do the West Indians deny the possibility of competing with the home-made spirit at these duties, but the taste for rum seems entirely to have passed away, at least if consumption is to be any criterion of taste—for since 1800, notwithstanding the great increase of population, the consumption of rum has decreased. Now I think from this that a change of taste is as evident as it is natural, as for my own part I cannot conceive there being any doubt as to which of the two is preferable; and nothing, I should think, but great inferiority in the price of rum could ever bring it into real consumption with whisky. Now, I will state upon what grounds the differential duty on spirits distilled in England has been fixed; for upon that, as I shall hope to show your Lordships, the whole question really turns. The House will, I am sure, admit that the rate of duty on the importation of an article which comes into competition with an article of a similar description, the produce and manufacture of this country, is to be determined first by the direct duty levied on that article; secondly, by the amount of duty chargeable upon any of the materials necessarily used in the manufacture; and thirdly, by any additional expenses unavoidably incurred by the manufacturer in consequence of fiscal regulations which he is compelled to observe, to whatever extent they may fairly enhance the cost of production. Now, as I said before, the differential duty was last year reduced from 1*s.* 6*d.* to 1*s.*, and without any complaint on the part of the English distillers; but they have since urged a claim for protection to the extent of 1*s.* 4½*d.* I may observe, too, on the other hand, that the West Indians deny their claim to more than a protection of 2*d.*, and affirm rum cannot compete fairly with the home-made spirit at a higher rate than 2*d.* The distillers estimate their burdens for which they claim protection as follows. They commence with 1*d.* per gallon for corn duty. Well, the duty on corn is now suspended; and within little more than twelve months after it is reimposed it will be altogether abolished, and no allowance can consequently be made for that. The next item is 1½*d.* for malt. The duty, in fact, upon the 1-11th quantity of malt used, is really 1¼*d.*; but in that the Excise agree as a just claim. They claim, then, 1*d.* for increased plant, consequent upon the regulations established by the Excise in 1825, and the additional amount of capital necessary to effect a separation of their premises: this the Excise also admit to be just. They then claim 4*d.* for duty on decreases, and interest of money advanced; but upon the question of decreases there can be no doubt, for they are ascertained, and by official documents they can be shown to be, as nearly as possible, 1½*d.*—that amount representing the actual decreases ascertained in the stocks of the principal English distillers; and the spirit, when made, passes immediately from the hands of the distiller, who only works according to the demands from the rectifier, who pays for it as soon as the distiller in fact is called upon to pay the duty; and the Scotch and Irish distillers warehouse their spirit. The next claim is for 6*d.*, in order to cover the extra expense of rectifying, arising from legal restrictions; but this includes waste in rectifying, and in stock, and the interest on duty advanced till the rectifier can find a market, amounting in the aggregate to 2¼*d.* I must observe, that the process of rectifying is not necessary: it need not be resorted to; for spirit in the state in which it is sent to the rectifier, is consumed in Ireland, or, at all events, with a small addition of malt; but it is rectified to meet the taste of the English consumer, for which more than an equivalent price is obtained. No compensation for that can be claimed; and this waste and loss complained of are not the results of fiscal interference: they would take place under any circumstances; and as the distiller, if allowed to rectify and compound on his own premises—(which he is not on account of the frauds to which the revenue would be exposed, as the strength of spirit cannot be ascertained after admixture with saccharine substances)

—for this separate establishment compensation is due; but if he were allowed to rectify and compound on his own premises, he would have to provide additional buildings for storing spirits, and to enlarge his plant: 1*d.* has been deducted for this upon the same ground that he claimed 1*d.* for having had to enlarge his plant, making together 3¼*d.*, and leaving 2¾*d.* for such extra expenses as may be incurred for the separate process. This brings the whole amount to 5¾*d.*, and upon that ground the Chancellor of the Exchequer proposed originally a differential duty of 6*d.*, leaving out of account the claim of 3*d.*, made by the distillers for Excise restrictions; 1st. because they themselves candidly admitted the difficulty of estimating them in money value, and because any argument they brought forward in favour of 3*d.* was just as applicable to 2*d.* or 4*d.*; and, next, because it was thought that a fair equivalent for any such expenses were the freight paid for rum—the insurance—the heavy expenses of landing and warehousing—and the leakage on the passage, which is estimated at 15 per cent, together with the loss on the casks. Nevertheless, taking the amount of loss for Excise restriction at the fanciful sum stated by the distillers, viz., at 3*d.* (and this 3*d.* a gallon would amount to about 10,000*l.* a year in the London distilleries, which must be an exaggerated estimate of Excise restrictions), and adding it to 5¾*d.*, it makes 8¾*d.*, and the protecting duty given to them is 9*d.* Now, if any proof were wanting that this is sufficient, and more than sufficient, it will be found in the fact that twenty years ago the protection was under 11*d.*; from 1814 to 1826 there was no nominal distinction of duty at all, but the charge was imposed on rum at proof, and on British spirits at 7 above proof; making a difference in favour of British spirits of something less than 11*d.* At that time the corn law of 1815 was in operation, which pressed very severely upon the consumer of corn. The West Indian planters at that time, too, were enabled to employ slave labour, and to make rum much cheaper than they can now, when they have a difficulty in obtaining labour, and when, as they are daily improving the manufacture of sugar, they will have less rum to send here. Well, and what was the fact? That at this differential duty of less than 11*d.* no increased quantity of rum was introduced, the quantities being as nearly as possible the same, although at the same time the consumption of British spirits largely increased. In consequence of the change made in the Excise regulations in 1825, a differential duty of 1*s.* 6*d.* was granted; but this being manifestly beyond what was just or necessary, the Chancellor of the Exchequer, Mr. Goulburn, in 1830, proposed to reduce it to 1*s.* and was only prevented from doing so by the change of Government. But the case of the distillers had been fully heard, and according to their own calculations 9½*d.* was the burden imposed upon them by the existing corn laws, and that consequently, if the corn law had at that moment been repealed, they would have been satisfied with 8½*d.* The Irish distillers at the same time claimed 1*s.* for the injury done by the corn law, and 6*d.* for Excise restrictions, although the same corn law and the same Excise laws applied to both countries alike. It is true, they make no such claim now with respect to the corn law; but their statement was either true or false in 1830: if true, what cause of complaint is there against the proposed duty of 9*d.*? if false, what reliance can be placed upon the claims they have now put forward? I think that I have shown, to the satisfaction of the House, that the English distiller, so far from having any ground for complaint, must in justice admit, and I believe he does, that his interests have been carefully and liberally protected. I now come to the Scotch and Irish distillers, who claim a larger amount of protection on account of the larger quantity of malt used by them in the manufacture of spirits, especially the Scotch, whose spirit is for the greater part made wholly from malt. I will first observe, that in Scotland a drawback of the whole duty, 1*s.* 2*d.* on malt, was formerly granted; and it is important to bear in mind that it was not for the purpose of promoting or favouring this particular description of spirit, but solely in order to enable the legal distiller to compete successfully with the illicit distillation which then prevailed to an enormous extent. The measure was completely successful for its object; and some years ago, in 1832, on the recommendation of a Committee of the House of Commons, the allowance was reduced, and the drawback was fixed and still remains at 8*d.*; but, perhaps, if the whole subject be fully investigated, it will be found that this drawback may, with safety to the revenue, which is the only point to be considered, be further reduced, if not altogether done away with, as it has been in Ireland. The Irish distiller, on the other hand, works generally from a mixture of raw grain and malt in variable proportions; but he receives no drawback on account of such purely malt spirit made in Ireland; in fact, it was discontinued at the suggestion of the Irish distillers themselves. The Irish distiller, however, says, as he uses more malt than the English, the allowance of 1½*d.* is not sufficient for him, and he claims 2½*d.*; but then he does not rectify or compound: he has no separate premises to provide for, as the English distiller has; and he will find ample compensation for the 1*d.* which he claims, in the 2¾*d.* which is allowed to the English distiller, and which forms an item in the 9*d.* differential duty. But neither the Scotch nor the Irish can, consistently with the principle which must be assumed as governing a differential rate of duty, viz., the amount charged upon any article necessarily used in the manufacture, claim any such compensation: if the home spirit could only be made from malt, it is obvious that the whole duty paid on malt by the distiller must be charged in the shape of a differential duty upon the colonial spirit which comes into competition with it. They cannot claim any protection founded upon the use of taxed malt, which, in consulting the taste of their consumers, they may think it for their interest to employ—they are not compelled to use it; but they do use it, because it improves the quality and increases the price of the spirit. Malt spirit suits the taste of Scotland—mixed or raw grain spirit, that of Ireland—and a compounded spirit is preferred in England; and the English distiller might just as well claim an allowance in respect of the duty on any foreign ingredients, such as fruits, sugar, spices, and essential oils, which he may use in imparting flavour or additional strength to the compounds known as British gin, cream of the valley, old tom, or the various other names by which the rectifiers distinguish their respective spirits, In all distillation a certain quantity of malt is indispensable, not for the purpose of giving flavour or strength, but in order to facilitate the process, and to what is called saccharize the materials. This indispensable quantity is 1-11th, the proportions being of malt, 2 — oats, 2 — barley, 18; and for that an allowance is made, because it is indispensable; and the same principle will be found to prevail generally in drawbacks, for no allowance is made on exportation in respect of the constituent parts of any article, however highly they may have been charged on importation by the Customs, or by the Excise, as articles subject to internal taxation. Take, for instance, spirits of wine exported, in combination with other ingredients: no drawback is allowed there; and the exceptions prove the rule, for a drawback is allowed upon beer exported, that is, upon the malt used in beer, because the use of grain malted, or unmalted, is not optional. The law compels the brewer to use malted corn, and therefore grants him an allowance, just as it does to the distiller upon the malt which he necessarily consumes in his business; but upon hops which are heavily taxed, but which are not indispensable in brewing, and the use of which the law does not prescribe, no drawback is allowed. Upon the same principle, a drawback is allowed on the exportation of paper and soap, for which returns have been moved, to the amount of the duty charged on them when manufactured: because the duty is imposed on them by law, they cannot be made without it; there is no option about paying the duty, as there is with respect to malt. For the same reason a drawback was allowed on printed calicoes, glass, leather and vinegar, when the manufacturers of these articles were compelled to pay Excise duty. The analogy of these cases confirms the correctness of the view taken by the Chancellor of the Exchequer, as well as by the Board of Excise, in fixing the duty on rum. In cases of this kind, some broad general rule is obviously necessary to avoid the difficulty and (as in the end it would turn out) the injustice of attempting to favour the different views of opposing parties, because such attempts to adjust inequalities of condition would only multiply the claims on each side, as well as the difficulty of adjusting them. Allow the claim of the Scotch distiller for the malt with which he produces a complete spirit fit for use, and suited to the taste of his consumers; and I don't see upon what ground the claim of the English distiller could be rejected for protection on account of his waste in rectifying, and of those articles he uses in compounding, and without which he would find no customers; while in Ireland, if you attempt an adjustment founded on the quantity of malt used at discretion, no uniform rate of duty could equitably be levied, because malt is there used in variable proportions. But you must either impose a uniform rate of duty on rum far higher than would be just towards the consumers of that spirit in England, or you must then have three different rates of duty on colonial spirits, which would not only be contrary to our practice, and unjust to our colonies, but the Scotch and Irish distillers would speedily find the disadvantage of such a system, as the English distillers would unquestionably have as good a right to be protected from the competition of those countries as they claim against the colonial spirits; and upon this—upon the importation of spirits from Scotland and Ireland—the whole matter rests. If those spirits compete with spirits made in England, it is clear that they must be on an equal footing, and that if the allowance of 9*d.* differential duty on rum fairly protects English spirits, that is, places rum on a footing of equality with it, why, it follows that Scotch and Irish spirits will in future, as heretofore, compete with English spirits, and consequently with rum also. The quantity of spirits produced in England is 5,624,000 gallons; whilst of spirits imported from Scotland into England there were last year 2,136,000 gallons, and from Ireland 1,418,000 gallons, together more than 3,500,000, equal to the 3-5ths of the whole quantity manufactured in England. Is not this a proof that the spirits of Scotland and Ireland compete on equal terms with those of England? and is not this a trade more important than any connected with rum? and is it wise to run any risk of disturbing it by questions of protection with reference to the component parts of spirit in the three countries? One-third of the spirits distilled in Scotland comes to this country, and one-twelfth goes to Ireland, which, if ingredients are to be considered, would have a fair right to be protected against such importations; but in fact, if the duty paid on malt could be regarded as giving a right to special and exclusive protection against the competition of the colonial spirit, I can't see why it would not constitute an equally strong ground for protection against the competition of the home-made grain spirit which is manufactured in Scotland and Ireland, and consumed there as an unrectified spirit. No such demand has, however, been dreamt of; nor can any with justice be claimed against the competition of the colonial spirit, beyond that which can be shown to be an extra and unavoidable expense in the manufacture of the home over the colonial spirit. The malt spirit being the best spirit produced, bears a relative price in the market more than equivalent to the malt duty. The price of pure malt spirit is 1*s.* 10*d.*, the malt duty is 1*s.* 4*d.*, showing a clear gain of 6*d.* a gallon over and above the cost entailed by the use of malt, just as gin and compounds command a price more than equivalent to the ingredients used in compounding them; and malt spirit and grain spirit and compounds are severally consumed by parties who like to use the better and dearest, or the cheaper and inferior spirit. There is no principle that can with justice be adopted, except that of fixing the extra duty on rum with reference to the extra charges ascertained to press on grain spirit, leaving the competition between rum and home-made spirit, other than grain spirit, upon the same footing as the competition between such home-made spirit, other than grain spirit, and grain spirit, now is. But, after all, the whole contest is about a shadow, a chimera; and there can, I am convinced, be no error more gross than to suppose that any large quantity of rum will ever be introduced into this country: the national taste is against it. This was proved, as I said before, in 1826; when the duty was lowered, a larger quantity was imported, in expectation of a demand which was found not to exist; and the importation decreased, while the production of British spirits largely increased. The total quantity of spirits consumed in Great Britain and Ireland is 26,000,000, while that of rum is about 2,500,000, being a difference of 23,500,000 in favour of the home-made article—nearly nine to one; and there is another material fact which must not be left out of consideration, which is, that not only the attention and industry of the colonies, but a vast amount of British capital and enterprise are now directed to improvement and economy in the manufacture of sugar; and every improvement that is effected leads to a diminished production of rum. The manufacture of sugar is the most valuable use to which the cane can be turned; and the more perfect the manufacture, the less will be the quantity of rum and molasses produced. Why, recently a most important experiment has been made which promises to be successful, and to change the whole process of manufacture in the West Indies, and leave hardly a particle of the substance from which rum and molasses are now produced. Upon these grounds, then, I do trust your Lordships will not see cause to sanction such a departure from your usual course as to consent to the Motion of the noble Duke that this Bill should be referred to a Select Committee. There are no facts to be ascertained which are not already in the possession of those who are interested in this subject; and nothing in which an inquiry before a Committee would assist your judgment, except, perhaps, the claims of the West Indians to a less amount of duty than that which this Bill imposes. There is only one item in the list of claims made by the distillers which is doubtful, viz., the money value of Excise restrictions. But the distillers, without supporting their estimate by either facts or arguments that would not equally apply to any other sum, have fixed that loss at 3*d.*; and my right hon. Friend, not being able to disprove it, any more than they were able to prove it, has allowed it. I trust that your Lordships may see fit to pursue a course similar to that pursued by the House of Commons upon a Motion of the same nature; and that you will not consent to delay or to alter a measure that the Government has brought forward, with a sincere conviction that it does equal justice and affords equal protection to the different interests concerned. I have only now to thank your Lordships for the patience with which you have listened to these details, upon a subject necessarily dry and uninteresting, and which I fear I may not have rendered as clear as I could have wished.

LORD STANLEY said, that Her Majesty's Government had declared that it was not intended by that Bill to carry out any abstract principle of free trade, but that it was to be regarded as merely a measure of justice to the West Indian colonies. For his own part, he was not desirous of upholding any protection to the British distiller at the expense, or to the sacrifice of the colonial interest, more than justice required. The whole question involved was as to the figure which should be charged for the differential duty; and this was the object of his noble Friend in moving for a Select Committee to inquire into the subject. He would suggest that the Bill be at once read a second time, and the House at once proceed to the discussion of the proposition of his noble Friend (the Duke of Montrose).

The EARL of CLARENDON had no objection to the arrangement.

Bill read 2^a.

On the Motion that it be committed to a Committee of the whole House on Monday next,

The DUKE of MONTROSE rose to move that the Bill be referred to a Select Committee. Without resorting to such a course, he was sure that they could not arrive at a satisfactory conclusion as to the amount of differential duty which should be charged. He referred to the Act of the Session before last, relative to the importation into this country of spirits made in the Channel Islands, which laid down the principle that a Customs duty ought to be imposed sufficient to counterbalance the loss to the distillers by Excise regulations, and enacted as that duty the sum of 1*s.* 2*d.* The noble Earl stated, that they should not take into their calculation on this question of the differential duty, the amount of malt duty paid by the British distiller; but he was satisfied, if a Committee were granted, that he should be able to show that this was a most important element, which ought never to have been lost sight of in forming an estimate. The distillers also said, that such was the uncertainty of the course pursued by the Chancellor of the Exchequer, that there was no security as to any further proceedings, or that he might not come down next year with another proposition for change; they asked also for an investigation into the restrictions which had been placed upon them, not only by duties, but in the shape of Excise regulations. Mr. Huskisson stated, that, independently of the charge of the malt duty, the loss occasioned by the Excise regulations, in the mode of levying it, to the maltster, was equivalent to not less than 50 per cent; to the distiller, however, the loss was much greater, in consequence of the Excise interfering with the process of manufacture in every stage. The loss to the distiller in consequence of the Excise regulations regarding the use of yeast, was equivalent to an additional charge on him of 1*d.* a gallon. Again, the amount of spirits charged with the duty, was more than the amount produced by the distiller. The Government estimated the amount of duty by three different modes, and were at liberty to choose whichever gave the most amount of duty; so that it often happened that considerable loss was sustained by the distiller; as, although he paid duty on 100 gallons, he did not get more than 95 gallons of spirit. An allowance was also made for leakage or waste in foreign spirits as respected the duty; but nothing of the kind was allowed for British spirits.

Such allowance on rum was calculated to be at least 3 per cent; while on brandy it often amounted to as much as 8 per cent. This the British distillers calculated as equal to a duty of 2*d.* per gallon on spirits produced by them. The Irish distillers were allowed to bond spirits, and they were prepared to prove that while in bond there was a loss on their spirits equal on the average to 10 per cent. The noble Earl said that there were no Excise returns to show anything of the kind; but it should be remembered that the Excise made no returns respecting the quantity of home spirits in bond, as the revenue was not affected. All that he required on the part of the English, Scotch, and Irish distiller, was a fair inquiry into the whole question. They stated that the Government had been mistaken; they therefore asked for inquiry. Was it not monstrous, that when a body of men stated the Government was mistaken, and offered to prove their case, the Government should say it would not hear them—that it would decide on its own responsibility? Government allowed there was a *primâ facie* case of justice on the side of the distillers, and yet it would not hear them. Another hardship the Scotch distillers laboured under, was connected with the importation of their spirit into England. The duty on spirit was less in Scotland than in this country; the distiller was only allowed by law to import it into England by sea; and before he took it out of bond for importation, he was compelled to pay the difference between the English and Scotch duty. If a cask should afterwards be staved, the distiller lost both his spirit and the duty he had paid on it. Now, the duty on colonial rum was only paid on its being taken out of bond for consumption. It should be remembered, too, that by the Excise regulations, the distillers were obliged to finish one process before they began another; they were not allowed to carry on two at once. Thus they were compelled to extinguish their furnaces, causing a great loss of fuel. Then the Excise officers were required constantly to visit the premises. It was quite impossible to do this without admitting the cold air; this checked the fermentation, and was extremely injurious to the process. The distillers, therefore, stated as a fact, that these Excise regulations prevented them from drawing as much saccharine matter and spirits from the grain as they would otherwise. The loss from this cause was not less than a penny a gallon; and it was to estimate these various losses, which the Government denied, that the distillers asked for a Committee. The noble Earl said, he did not believe there were hardships on the Scotch distillers, since they were able to send their spirits into competition with those of English distillers. But the increase in the quantity of excised spirits in Scotland arose from the reduction of the duty from 6*s.* 2*d.* per gallon to 3*s.* 8*d.* Before that reduction, illicit distillation prevailed, and, from the nature of the country, it was impossible to prevent it; but under the lower duty, the illicit trade was destroyed, and the spirit made was brought to charge. That was the secret cause of the great increase in the quantity distilled in Scotland; but the returns of duty charged since the increase of the malt duty, showed that while raw spirits had greatly increased, those from malt had not, which was a complete proof that the malt duty did affect the trade in a very material degree. The distillers were also liable to pay an amount of malt duty proportionate to the quantity of spirit drawn from the malt, over and above the quantity allowed by law. They were supposed by the Government to draw sixteen gallons of spirit from a quarter of malt; but they often drew twenty gallons. By the Excise regulations, they were required to pay the malt duty as well as the spirit duty upon the difference, raising the duty from 8*d.* to 10*d.* and 11*d.* per gallon. This was not merely a question as to competition with rum, but the Bill allowed the importation of all colonial spirits; and the distillers would be exposed to much unequal competition in Canada, where the distillers were not subjected to a malt tax or Excise regulations. Was that fair justice? There could only be one answer to the question. The Excise regulations interfered so much with the processes of the distillers, that they were prevented from using improved modes. They were not allowed to try experiments; and they justly complained of being compelled always to proceed upon the old jog-trot plan. They said, if they were not fettered by the Excise regulations, they could draw a much greater quantity of spirit from the malt, and thus place themselves on an equality with the foreign producer. He had now gone through the whole case; that of Ireland was very similar; but he should leave it in the hands of the noble Earl. It was quite impossible to come to a satisfactory conclusion on all these points without going into a Committee, where they might be thoroughly investigated. Without that inquiry, the settlement could not be a permanent one. He therefore moved that the Bill be referred to a Select Committee.

The **Earl of EGLINTOUN** was of opinion that an inquiry ought to be gone into—not such an inquiry as could be made by speeches from certain noble Lords who might understand the question, and noble Lords who knew nothing about it, but such an inquiry as would bring out the truth, and cause justice to be fairly done to all parties. When therefore a remonstrance had been made by the distillers, it would be dealing rather harshly not to allow that body an opportunity of stating their case. It was due as much to the colonist as to the distiller that such an investigation should take place. The Chancellor of the Exchequer had meditated an extreme injustice in the first instance to the home distiller, or else he now meditated a similar injustice to the colonies; for he at first intended to make only a difference of 6*d.* in the duty, but, as he said, in order to facilitate the passing of the Bill in that House, he would put on an additional duty of threepence on rum. The noble Duke who had proposed the Amendment had gone so fully into details, that he would not attempt to follow him through his arguments, but would content himself by alluding very shortly to the probable operation of the measure, as far as the Scotch distillers were concerned. The laws regulating the operation of the distillers were so minute in their details, and so new in language, that it was impossible for their Lordships to ascertain the correctness of the calculations made by the distillers. The case of the malt distillers was one of simpler nature; and so impressed was he with the justness of the case which they had made out, that if he stood alone he would urge upon their Lordships the necessity of rejecting the measure. The facts as regarded Scotland were very few and very simple. The proposed duty was 4*s.* and 5*s.* on rum, the duty on whisky was 3*s.* 8*d.*, and the duty on the quantity of malt requisite for a gallon 8*d.*, making altogether 4*s.* 4*d.*, thus leaving only one penny to meet the losses sustained by Excise restrictions. In dealing with the question as regarded that country, it should be borne in mind that it was less a financial than a social question that had to be solved. There were 250 works—distillery works—in Scotland, in which a capital of more than half a million was embarked, which employed thousands of persons, and distributed more than a hundred thousand pounds in payment of wages. If a false step was now taken, the risk would be run of driving that branch of industry to foreign countries, and throwing thousands of persons out of employment, and hundreds of acres out of cultivation. The noble Earl then read letters from distillers, one of whom paid 600*l.* a week in wages, and another of whom had reared 4,000*l.* worth of pigs from the refuse of his distillery, to show what would be the probable amount of injury to the country if that branch of its industry were destroyed. It would also have the effect of adding an incalculable number of paupers to rates already overburdened with the maintenance of the poor. Was the present, he would ask their Lordships, a time to injure the Scottish landowner, and more especially the Highland proprietor, when they were so nobly straining every nerve to support their famishing people; and their people as nobly enduring the fearful privation to which they were exposed? The noble Earl then read a letter, relating the shipwreck of a vessel laden with meal on the part of the Highland coast where the distress was greatest; and stating that the poor people had exerted themselves to the utmost to save the vessel and cargo, while not a single pound of the meal had been lost. If it were really true that by the passing of this measure the incentive to crime would be diminished—if the crime of intoxication were likely to be abated—then, he would say, it would be cheaply purchased; but, in his opinion, such would not be the tendency. The quantity of spirits consumed would not be diminished, for the loss of whisky would be supplied by the same quantity of rum. The only difference, therefore, would be in the quality of the spirit. But then came another and a very serious consideration. The people of Scotland were so strongly attached to their whisky that they would not be satisfied with the foreign spirit; and the consequence would be, that illicit distillation would be extensively resorted to. The measure would thus have the twofold evil effect of injuring the revenue, and lowering the morals of the people of that country. The distillers did not base their claims on protection, or ask for differential duties, without good and sufficient cause. They could not enter upon a more profitable mode of manufacture than they employed at present, as the law and the Excise obliged them to distil in one manner. They were thus precluded from the benefits of improvement in the process—an advantage which was not denied to the colonial producer. If British and colonial spirits were placed upon the same level, the distillers at home ought to be liberated from all those restrictions which so peculiarly oppressed their trade; otherwise it would be a rank injustice to them. He trusted, therefore, that their Lordships would pause before they passed the Bill before them; and that they would agree without opposition to the noble Duke's proposal.

LORD CAMPBELL bore testimony to the extreme ability with which the noble Duke opposite had brought forward the distillers' case, and proved himself master of all its complicated details. At the same time, it appeared to him that the noble Duke had not succeeded in shaking the arguments contained in the statement of his noble Friend who moved the second reading of the Bill. In the course of his (Lord Campbell's) whole Parliamentary experience, he had never heard a more able speech in either House of Parliament than that in which his noble Friend had proposed the second reading of the Bill. Without any exaggeration, or any deviation from the main question for discussion, his noble Friend had laid before their Lordships plainly, and with characteristic distinctness, the facts of the case—the facts which had weighed with his right hon. Friend the Chancellor of the Exchequer—the facts which had weighed with the Government—and the facts which had weighed with the other House of Parliament. The noble Duke had not attempted to contradict any of the calculations which the noble Earl had made; and it was only on the vague question as to the loss which the distiller would sustain from Excise restrictions that the noble Duke tried to argue the case. That alone made a strong *primâ facie* case in favour of the Bill. The Government had no possible object but to do what was fair and just between the colonial producers and the interests at home. The question was not one of a party character, neither did it contain a single consideration connected with politics. Great anxiety had been felt by the Chancellor of the Exchequer to calmly consider the object he had in view, with a desire to deal equitably between both interests. The noble Lord opposite (Lord Stanley), who had presented a petition against the Bill, had charged the Chancellor of the Exchequer with vacillating as to the course which he intended to adopt with reference to this subject; but he begged to assure their Lordships, that when the Chancellor of the Exchequer, at the close of the last Session of Parliament, proposed a shilling duty, it was intended to be, and was stated to be, a temporary measure only; and his reason for postponing a conclusive measure, arose from the circumstance of his desire to investigate the matter in all its bearings, in order to do ample justice to both parties. The right hon. Gentleman did consider it; and, after laborious calculations, came to the conclusion that a differential duty of sixpence would give ample compensation to the British distiller for the disadvantages under which he was placed; but, on further consideration, he raised the duty to 9*d*. In the other House of Parliament, where the interests of the distillers were well and efficiently represented, upon a division, a majority of seventy-five declared in favour of the reduction of differential duty. Upon due consideration, he hoped their Lordships would arrive at the conclusion that ample justice had been done to both interests. As far as English distillers were concerned, he thought the noble Duke, and the noble Lord who had followed him, had not in the slightest degree succeeded in detecting any error in the calculations of his noble Friend. As far as the English distillers were concerned, he thought his noble Friend had shown that 9*d*. was an ample protection. He did not consider that the reduction of duty would increase illicit distillation; the only question was whether it would give an undue tendency to the consumption of rum instead of whisky, and he did not think it would. He would be the last man to oppose anything advantageous to his countrymen, with respect to whom he cordially concurred in the well-merited eulogium of the noble Earl who had just addressed the House; but he had no apprehension that the measure would cause the consumption of rum in preference to whisky. The malt distillers of Scotland were at present able to compete with the English distillers in their own market; for it was a fact, that 2,000,000 of gallons of whisky were imported into England from Scotland annually. The superior quality of the Scoth whisky, and he would instance the case of Islay whisky, would always serve to maintain its consumption. That peculiar description of spirit had maintained, did maintain, and would maintain its reputation wherever it appeared, and wherever there were persons capable of appreciating it. He felt it to be his duty to oppose the Amendment of the noble Duke, as he thought it was idle to suppose any good could be effected by examining distillers and persons engaged in the manufacture of spirits, who only knew the subject with a view to their own advantage; and, although the petitioners, as was stated by the noble Lord opposite (Lord Stanley), were unanimous, as all petitioners were, and sure to be, against any fiscal regulation which they thought might be injurious to them, or deprive them of any undue advantage—notwithstanding, as he said, that unanimity on the part of the petitioners, he should oppose the Amendment of the noble Duke.

The DUKE of RICHMOND observed, that the arguments advanced by the noble Lord at the opposite side, showed the absolute necessity of referring the subject to a Select Committee. He found the noble and learned Lord who had last addressed them, declaring that sixpence was a sufficient protection, and that the manufacture of the Scotch spirit was so superior that no competition was to be dreaded from the foreign producer. He (the Duke of Richmond), did not, however, think the noble and learned Lord knew much about the manufacture of whisky. It appeared he knew much better how to drink it than to make it. It was quite true that the Chancellor of the Exchequer had given a public pledge last Session, that he would bring forward a measure to reduce the duty on foreign spirits. He could not deny that such a pledge was given; but his noble and learned Friend opposite had said that, after much deliberation, the Chancellor of the Exchequer had made up his mind as to the precise amount of duty; and yet, a fortnight after the meeting of Parliament, they found the Chancellor of the Exchequer giving up a part of his proposition, and giving greater protection to the distillers of Scotland. This showed that the much-vaunted "mature deliberation and careful consideration" of the right hon. Gentleman went for nothing, and proved that, if he had consulted the proper sources of information, and not consulted the gentlemen of the Board of Trade, whose business it was to alter and put different constructions upon things, his conclusions might have been of another kind. The right hon. Gentleman had availed himself of information supplied to the Board of Trade, and from returns similar to those of which they had such pretty specimens laid upon the Table of their House. But when he saw the statement of the distillers, he altered his intention, and gave them a protection of 3*d.* more. The noble Lord opposite, however, considered that too much had been given the distillers, and that the protection ought to have been 6*d.* instead of 9*d.* That was his (the Duke of Richmond's) ground for asking for a Committee to inquire into the allegations made by the distillers. He did not stand there to see justice done to one interest to the exclusion of another. He was the advocate of the Irish, the English, and the Scotch distillers, and on their behalf he called for a Committee. But it was said by the Chancellor of the Exchequer, "You need not be afraid of injury, because very little foreign spirit will be brought into this country." Why, then, inflame and alarm the minds of men who had embarked a large amount of capital, and had built expensive premises for the prosecution of their business, if the result of this measure would not cause large importations of the foreign produce? His noble Friend who spoke second in the debate had said he could not understand how it would promote illicit distillation; yet his noble Friend (the Earl of Eglintoun) had said that if the distillers were ruined the people were so fond of whisky that they would procure the illicit spirit in preference to the foreign. He agreed with that argument, for no one who knew the people, and had spent much time in Scotland, did not also know the demoralising effects of the illicit distillation of whisky in that country. It turned the labourers from their natural and useful occupation into distillers, and led them into danger and degradation. How was that difficulty to be got rid of? They had on their Statute-book one of the most unjust and impolitic Acts that ever obtained the sanction of Parliament. They had the malt tax, which would constantly come against them, and until they got rid of it they could not bring forward any measures of this kind without finding the greatest difficulties interposed. He hoped the day was not far distant when that Act would be repealed; and he trusted that the people of England, now that they had been promised cheap bread, would take care that they also got cheap beer. He could not sit down without expressing his hearty concurrence in the line of conduct adopted by his noble Friends, who had opposed the measure with so much ability. He regretted that Parliament appeared to proceed on the worst possible principle that Parliament could be guided by. They professed themselves willing to hear the appeals of the people; but petitions might be presented to their House, and they would not attend to them, neither would they grant any inquiry into their grievances. He could not expect that in that Council Chamber they would change those Acts which had reflected so much disgrace on the House of Lords last Session; but he did expect they would at least grant an opportunity for inquiry. Last year they refused to hear the silk-weavers, and now they refused to hear the distillers. If they continued to pursue this ill-judged policy, soon would the independence of their character as a legislative assembly be lost, and soon would their decisions be regulated only by the will of the Minister and by the acts of his followers.

Lord STANLEY had really expected, after the able and conclusive arguments which had been adduced by the noble Lord behind him, by the noble Duke who had just sat down, and by the other noble Lords who had opposed this measure, that some farther notice would have been taken by the noble Lords who represented the Government in that House beyond the speech of the noble and learned Lord opposite. It appeared to him that the question of "free trade" did not enter into that discussion; but he would tell them what did. It was a question of justice between two classes whose interests might be materially and deeply affected by changes which appeared to them to involve a small sum, and to be matter of insignificance, but which, reckoned by the large scale to which they were applied, might have the effect of altering the whole course of trade, and transferring a great and important consideration from one party to another, and that under regulations professing to place them both on a footing of fair and just equality. As his noble Friend (the Duke of Richmond) had already stated, the Government had originally declared, that after a careful examination of the question—after testing the facts and making calculations—they thought a differential duty of 6*d.* a duty which was fair and reasonable and equitable between the parties. Well, if they thought that, they ought to have adhered to it. They were not there to dispense favours. If it had been a favour for which the distillers had been applying, and if it would have been conferred without injury to others, no man could have complained of it. But Her Majesty's Ministers were not in the position of being entitled to confer a favour on one class at the expense of another, or at the expense of that justice which they were bound to consult. It was true the sum in question was but 3*d.* per gallon; but that 3*d.* a gallon had been applied to an article the intrinsic value of which was 2*s.* They treated it as if it was a matter of indifference whether it should be 3*d.* a gallon more, or 3*d.* a gallon less. But he would ask the Government, was it a matter of indifference to impose 15 per cent more or less? He (Lord Stanley) would be the last person to refuse to call upon their Lordships to make a sacrifice for the purpose of doing justice to the West India interest. It had been his fortune to be connected with a question in which, for the sake of the West India interest, he did call upon Parliament to make a sacrifice; and it was his happiness and pride that he had been in any degree instrumental in inducing the people of England, for the purpose of doing an act of justice, to make one of the largest pecuniary sacrifices ever made in favour of the West India interest. With these feelings, he did not think he could be charged with wishing to place the interests of any other class in unjust competition with the interests of the West Indian proprietors. But not only the West Indian proprietors, but the proprietors of Cuba, Havannah, and the Brazils, ought not to require greater advantages in free trade than those which were conferred upon our own fellow-countrymen. They were not about to place them upon terms of equality, but upon terms of inequality. They asked, therefore, for an opportunity of proving this allegation: they said, "Dispute our different statements, if you please; prove the error of our calculations, and we will submit to your decision without a murmur and without hesitation; but at least do not refuse to hear us." They offered to be examined—prove that their allegations were unfounded, and then they would submit without a murmur. But he would venture to say that if they would but grant an inquiry, they would have the sanction of the House to the principle which would place both the British producer and the colonist on the same footing. These were questions which wholly turned on correct calculations of a penny here, a halfpenny there, and twopence in another place; which sums, though apparently trivial, made a wide difference to the parties concerned, notwithstanding the free and easy way in which the noble Earl opposite went from sixpence to threepence. That, in fact, was the whole question. It was not what the noble Earl would allow of the claim, but whether that claim was justly threepence, or a penny, or only a halfpenny. To say that he considered they were entitled to this sum or the other, was but begging the question; which really was whether the calculation of the Government or that of the distillers, was the most equitable. He thought the clear and able speech made by his noble Friend behind him—a speech most clear and interesting on a subject by no means interesting in itself, but rendered so by the admirable clearness with which he brought before the House a series of complicated calculations — was perfectly conclusive. He would not weaken the force and effect of that speech by going through those calculations in detail; but there were one or two points in the argument of the noble Earl opposite which he must notice. The first was the extraordinary manner in which he treated questions that related to such small sums as a penny. Did the noble Lord not know that small matters in detail become large ones in the aggregate? He would mention a case. The distillers were compelled, every new fermentation, to use a new portion of yeast; but, after one fermentation, its power was not wholly exhausted, and it would be a gain to use it in successive operations in successive vats. But no, said their laws, you shall not do it, because there would be some risk of fraud in the amount of spirit produced. Therefore, the yeast was all thrown away, though it might not be exhausted; and the consequence of their laws was that fresh yeast had to be purchased for each separate operation. This was clearly and manifestly an expenditure solely caused by their laws. His noble Friend pointed out most clearly the operation of the drawback, respecting which the noble Earl opposite said he would allow but a halfpenny, although the claim of the distillers was threepence halfpenny. But they asked their Lordships not to allow that claim, but that the distillers might come before them, and prove if they could their right to the amount they claimed; to give in detail every item of that demand. He would state another case of extreme hardship which arose out of these restrictive laws. The wort was not allowed to be transferred from one vat to another except in the presence of an Excise officer; they could not even have two vats open at the same time. To say nothing of the loss by delayed fermentation in consequence of this law, what was the result if one of these vats should burst? Though it might so happen that by drawing a plug the whole of the liquor might be saved, by being run off into another vessel, the brewer would be liable to heavy penalties if he were to do so, unless in the presence of an exciseman; and the whole of the liquor must run to waste, though it might have been saved. The value of the wort in some of the vats in the large breweries, on which duty was paid, was 1,500*l.*; and because they were not allowed to draw a plug, liquor to the value of 1,500*l.*, on which the duty was actually paid, must, under such circumstances, run to waste. What was worse, of that 1,500*l.*, 1,200*l.* was duty; and of that duty the brewer would not be able to make one shilling. That would, he supposed, be a mere trifle to the noble Lord on the other side of the House. But let the distillers prove the amount of loss to which they were subject by these regulations. He would not now go into the details respecting the Excise; but if their Lordships would turn to the Seventh Report of the Commission which sat in 1834, of which Sir Henry Parnell was chairman, they would find seven folio pages full of these restrictions, which pressed with such heaviness upon brewing and distilling. It was indeed difficult to believe how any set of men could have so long submitted to them; but they did not complain. They said it might be necessary to impose these restrictions to prevent any loss in the amount of duty; but when the Government proposed to place them on the same footing with persons whose manufacture was free from these restrictions, they did ask them to give them a countervailing duty. What they now asked for was a Committee in order that they might see justice done to all parties. Another point to which the noble Earl had not alluded at all was, that the distillers in the East and West Indies had not only freedom from these extraordinary expenses, but they were at liberty to use that which was to them the cheapest material. Here, then, was a duty on molasses; take off that, and let the distillers enter into a fair competition. But no; distillation from molasses would risk a chance of fraud upon the revenue; and the British distiller, therefore, was not allowed to use the cheapest materials. To prevent that fraud, the British distiller was prevented from using molasses, from which in Jamaica and the East Indies the rum was made, and they made him no allowance whatever, and imposed no countervailing duty. This was a dry subject, and well nigh exhausted. It laid, however, in a narrow compass. Their Lordships were not asked to decide whether it would be an act of injustice, or whether the claim of the distillers was unjust; but he asked them, before they affirmed that the Government should give a certain amount of differential duty—not even that which the Government itself believed to be equitable—viz., a reduction of fifty per cent on what they imposed last year—which was a reduction of 100 per cent on that which, in 1825, after the most careful consideration and revision of the Excise and Revenue Laws, was imposed, and which had remained since that time in force without any complaint being made—but they were asked not to set aside the result of all that inquiry and experience without an examination of the parties most affected by the proposed alteration. This was the full extent, and no more, of the Motion of the noble Duke. He trusted Her Majesty's Ministers would take an opportunity of explaining more freely and in what mode they had made the calculations from which they had arrived at their decision; and, on the other hand, that those who would be injured by this measure might be allowed, if they could do so, to substantiate their grounds of complaint. To adopt any other course would be an act of injustice which he could not believe their Lordships would sanction; and he would, therefore, most cordially vote for the Motion of the noble Duke.

Earl GREY said, that the observations made from the other side of the House had entirely failed to shake the reasonings of his noble Friend who had introduced the measure. Upon that statement of the case, indeed, Her Majesty's Ministers were willing to leave the question for the decision of their Lordships; and he felt confident that, with all the additions which the acuteness of the noble Lord who had just addressed the House could suggest to the adverse argument, such of their Lordships as had heard the whole debate would not be disposed to deny that the opening statement still remained untouched. The principal motive he had for now addressing their Lordships, was merely that he desired to meet that sort of taunt which had been thrown out against Her Majesty's Government from the other side of the House, and to show that concern which would naturally be felt by one holding the office he had the honour to hold, on a question so materially affecting colonial interests. The noble Lord (Lord Stanley) had adverted to the change which had taken place in the course announced by Her Majesty's Government; a differential duty of 6*d.* having been proposed on rum, and before the subject came to be decided in the other House of Parliament a duty of 9*d.*, as was thought right under the circumstances, having been substituted. There was really no need for concealment in such a matter; and he (Earl Grey) had no hesitation in saying still, that 6*d.* would be a fairer amount of duty. But in matters of taxation, it was the duty of the Government to defer to the sense of the other House of Parliament; and it did appear to Her Majesty's Ministers that the proposition in favour of a duty of 6*d.* was a proposition which they would not succeed in carrying; therefore, and therefore only, had they substituted a duty of 9*d.* It was said that justice to the colonists required their Lordships to submit the whole subject to a Select Committee. Those, however, who were directly interested in the colonies did not desire to have the question referred to a Select Committee. What they did desire was, that the Bill as it now stood should pass with the least possible delay. What would be the result if the Motion for a Select Committee were carried? The Motion, indeed, was proposed with no other view and object than to get rid of the matter altogether. It was further argued that their Lordships should agree to appoint a Select Committee for the purpose of having the statements made by parties on opposite sides of the question properly scrutinized. But there were no new facts to be brought forward; all the facts of the case had already been given in the fullest detail. The irregularity with which the proceedings in Committees were conducted was known to their Lordships; he had heard of some remarkable instances of such irregularity, and that at no very distant date. Was it to be supposed that, if the decision of a Committee were to be carried by a majority of three over two, that decision would, irrespective of the reasons on which it was founded, govern the judgment of their Lordships and of the other House of Parliament? Their Lordships must still weigh the reasons; they must again debate the question on the Committee's report. With regard to the claims of the distillers, which had been stated with so much ability by his noble Friend opposite, he would refer again to a point alluded to by the noble Earl who had introduced the measure. In 1830, the whole body of distillers submitted a memorial to the Chancellor of the Exchequer, drawn up with great ability, and the whole amount they then laid claim to was a differential duty of 1*s.* 6*d.*; and on their own statement it appeared that 9½*d.* of that was made up of the increased price of corn consequent upon the corn laws. Now the corn laws were at an end; and as, leaving that out of the question, 8½*d.* was considered so lately as 1830; since when, there had been no alteration in the duties on malt, or in any way which could make their case worse, the 9*d.* now proposed was ½*d.* more than they then demanded. He should, however, perhaps be told that that only related to English distillers, and that it did not touch the Irish and Scotch. In order to meet this, it would be necessary to look at the comparative position of the parties; and if they found that the present condition of the Scotch and Irish was as good as that of the English distillers, there was an end of the arguments. That equality was the fact; the Scotch and Irish distillers could meet with advantage their English rivals in the English market, as had been most satisfactorily proved by the noble Lord (Lord Campbell). Of the whole quantity of spirits consumed in this country, the proportion distilled in Scotland and Ireland, as compared with England, was as 5 to 4. That surely decided the argument in favour of the Government measure. The Bill passed last year respecting sugar created great alarm in the British colonies; but he was happy to say that the prospect of such measures being passed, as that allowing the use of sugar in breweries and distilleries, the one now before the House, together with the more favourable prospect of good crops, had greatly tended to mitigate that alarm. By the last advices he had received, he found that more cheerful anticipations were entertained; and that they were looking forward, by means of increased exertions and the operations of the measures he had alluded to, to meet the competition to which they were subjected by the Bill of last year. But he (Earl Grey) did say that, having exposed them to that competition, it would be an act not very easy to justify if their Lordships, by rejecting this Bill, dashed the cup of hope from the lips of the colonists, and disappointed their highly raised expectations, and taught them that the principle of competition was adopted to their prejudice; but not when it tended to their advantage. If their Lordships passed the Bill, he (Earl Grey) should be more sanguine every day of the happy effects as to the improvement of the colonies of that measure of last year; but he could perceive no course so calculated to shake the confidence of the colonists in British legislation; he could perceive no course so calculated to injure trade as that of rejecting a Bill sent up from the other House by such an overwhelming majority of men of all political opinions and of all parties. He trusted the House would not take so fatal a course, but pass the Bill without any delay.

Lord MONTEAGLE said, that as he had been intrusted with petitions from Ireland on the subject of this Bill, he felt that he should not do his duty if he did not say a few words on the present occasion. He believed that in the history of the three kingdoms no instance could be found of any class which had been subjected to such frequent alterations of the law, and to such practical injustice by the Legislature, as the distillers. He had been justified in his opposition to the course taken by the late Government with respect to distilleries by the fact, that they had in a subsequent Session been compelled to retrace their steps and repeal the law which they had themselves passed. It was in the same spirit at the present moment that he addressed their Lordships on the part of a great commercial interest, not merely connected with the country to which he belonged, but with the whole United Kingdom, who, though differing on some points among themselves, were united in preferring a prayer to their Lordships to grant the moderate and rational request that they would institute an inquiry before they proceeded to legislate. His noble Friend (Earl Grey) had dealt with the Amendment as if it were a proposition to reject the Bill. [*Cheers.*] It appeared by those cheers that noble Lords so regarded it; but if such was the object of the proposition, he for one should hesitate much before he joined in rejecting this measure. But that really was not the nature of the Amendment. Was there any contest about the principle of the Bill? None. If there were, then that would be a question for the House itself to determine, and not one that should be referred to a Select Committee. The principle was admitted on both sides—namely, the adoption of a measure which should be productive of an equality of trade as between the colonial and the home producers of spirits. How was that equality of trade to be produced? It was by imposing upon the colonial article introduced into this country a discriminating duty which should be equal to the amount of charge to which the home article was subjected. Now this, he contended, was entirely a matter of inquiry; and he might appeal to the present debate as a proof of the necessity of it. There had been statements made with great ability on both sides; were their Lordships prepared upon those statements, on one side or the other, to come to a decision with respect to which of the two parties of asserters were in the right or in the wrong? On the one hand he was told that this was a matter perfectly immaterial to the colonial interests, because the taste of the people of England was averse to rum; on the other hand his noble Friend opposite, naturally feeling for the interests of the party with which he was connected, said that it was a question in which the colonial interests were deeply involved, and that the colonies could not be prosperous except by an alteration in the duty on rum. When doctors differed. it was not for him to resolve their differences; but it strongly proved that it was a case fit for inquiry. One word for Ireland. There were few branches of commercial interest connected with that country; but a small amount of capital was embarked in manufacturing industry there. That was one of the evils to which Ireland was subjected. But, among the few occupations which diverted the people from the cultivation of the land, in order to apply themselves to commercial pursuits, the distilleries of the country furnished the most productive means of employment. He, therefore, was not willing, without inquiry, to adopt a measure which might in its results seriously and injuriously affect that interest. On these grounds he should support the Amendment proposed by his noble Friend.

The House divided:—Content 57; Non-content 48: Majority for the Motion 9.

Bill read 2ª.

House adjourned.

HOUSE OF COMMONS,

Friday, April 23, 1847.

MINUTES.] PUBLIC BILLS.—1° Removal Amendment. 2° Highways.

Reported.—Lunatic Asylums.

PETITIONS PRESENTED. By Lord J. Russell, from Rigby Wason, Esq., for Alteration of Law with respect to Bribery at Elections.—By Mr. F. Dundas, and Sir A. L. Hay, from several places in Scotland, against the Marriage (Scotland) Bill.—From Ratepayers of the Town and Parish of Presteign, in the Counties of Radnor and Hereford, in favour of the Rating of Tenements (No. 2) Bill.—By a great many Hon. Members, from an immense number of places, for and against the Government Plan of Education.—By the Chancellor of the Exchequer, from Halifax, in favour of the Health of Towns Bill.—By Lord J. Russell, from Guardians of Carrick-on-Shannon Union, against the Introduction of a certain Clause in the Poor Relief (Ireland) Bill.—By Mr. Divett, from Governor, Deputy-Governor, Assistants, and Guardians of the Poor of the City and County of the City of Exon, for Repeal or Alteration of the Poor Removal Act.—By Sir H. Campbell, and other Hon. Members, from several places in Scotland, against the Registering Births, &c. (Scotland) Bill, and Marriage (Scotland) Bill; and by Mr. Hume, from Parish Schoolmasters and Session Clerks of Forfar and Argyleshire, for Compensation in respect of the same.—From Bath, for the Suppression of Promiscuous Intercourse.

PORTUGAL.

SIR DE LACY EVANS rose to put a question to the noble Lord at the head of the Government respecting the result of the intercession of the British Government with that of Portugal concerning the generals and troops who were lately granted an honourable capitulation by Marshal Saldanha, and who were said to have been since transported to the penal and unhealthy colony of Angola. The troops referred to had retired with the honours of war, and expected and were promised to be treated as soldiers usually were under such circumstances. He regretted, however, that that had not been the case. They had been marched to Lisbon, put on board ship, and crowded together in a cruel and most oppressive manner. He admitted the right of the Government to detain those parties and keep them in safe custody, but he denied their right to transport them to an unhealthy penal colony. Nearly three months had now elapsed since the Government had promised to intercede, but as yet nothing had transpired. He trusted the noble Lord would be able to inform the House that an order had been sent out for the return of those unfortunate prisoners from Angola.

LORD J. RUSSELL: It is quite true that certain prisoners, who surrendered with the honours of war, were afterwards placed on board a ship of war in the harbour of Lisbon, and were afterwards ordered to be sent in a brig to Angola. The ground stated for that determination was that a plot had been laid for their escape—that they had many friends in Lisbon—and that their escape could not otherwise have been prevented. In the opinion of the British Government that justification was not sufficient, and they instructed their representative at the Court of Lisbon to express very strongly their opinion of the harshness of that proceeding. We have not for the last ten days received any intelligence from Lisbon, but we expect shortly to receive further information. I am in hopes that those prisoners have not yet been sent to Angola; but we have received no intelligence that the original intention of the Portuguese Government has been altered.

SUPPLY—GOVERNMENT PLAN OF EDUCATION—ADJOURNED DEBATE (FOURTH NIGHT).

Lord JOHN RUSSELL moved the Order of the Day for resuming the Adjourned Debate on the House going into Committee of Supply.

Debate resumed. Question agreed to. Order read.

On the question that the Speaker do now leave the Chair,

Sir W. CLAY said, that in bringing forward the Motion of which he had given notice, it would be necessary for him to trouble the House with but few observations. He had stated fully, last evening, the reasons which induced him to withhold his support from the Government scheme. The House had decided in favour of that scheme by a very large majority, and he bowed to that decision. Certainly, he could not repress his apprehension that the decision of the House might prove the fertile source of future anxiety and trouble. They had thought fit—instead of endeavouring to frame some comprehensive plan of national education—to place the State at the head of a vast scheme of sectarian education; and he feared they must be prepared for the perplexities and embarrassments which must of necessity flow from the State assuming so dangerous and unbecoming a position. But the House had approved of the scheme, and it was no longer competent for him to oppose it as a whole. His present Motion, therefore, was directed to the amending a portion of the scheme, the defective character of which the noble Lord had himself admitted. The defect he alluded to was the omission of any provision rendering it incumbent on the managers of schools receiving pecuniary assistance from the State, to permit children, whose parents might object to the religious doctrines taught in those schools, to participate in that secular instruction of which the State contributed to defray the expense. It was true there was nothing in the Minutes to prevent such permission being accorded, but there was nothing to enforce it; and should the measure receive the sanction of Parliament in its present form, it was quite possible that there might exist thousands of schools throughout the country partly supported by the State, and from which those children that should be more especially the objects of the paternal care of the State, from having no other means of education, would be excluded. The object of his Motion, then, was to remedy this defect—to supply this omission—to secure the opportunity to all the subjects of the realm of participating, if they thought fit, to some extent at least, in the advantages of a system, to the support of which they themselves contributed. The most difficult problem, perhaps, in the science of government, as regarded free States, was how to protect the minority. The attention of the Governments of such States should accordingly always be turned to the solution of that problem, and to the averting the injustice which the working of the institutions of such States had a perpetual tendency to inflict on the minority. Now, in the measure before them, no such attempt was made; on the contrary, it afforded a very striking illustration of the tendency he had referred to. No moderately enlightened despotism would permit any portion of its subjects to be the victims of the injustice which would, beyond all doubt, be inflicted on the Nonconformist minority in this country, if the measure passed in its present shape. The scheme was fair in terms, and he had no doubt in intention; but a moment's consideration would suffice to show that it would be greatly otherwise in its practical working. It was certain that in every parish, or almost every parish, in the kingdom, there would be a Church of England school in a condition to claim the Government grants. He had stated last evening to the House his grounds for this anticipation, and need not repeat them; but its correctness could not be doubted. It was equally certain, perhaps, that in a very large proportion of the parishes in the rural districts there would not be found Nonconformist schools so supported as to be enabled to obtain the Government assistance. What would be the inevitable result? That in parishes where Nonconformist schools did not at present exist, none would be established; and that where they did exist, they would fall before their more powerful rivals. Such was his opinion, and such was the opinion almost universally entertained by the parties interested in the maintenance of Nonconformist schools. These apprehensions he believed to be well founded. The measure proposed would, therefore, work a twofold wrong to Nonconformists. In the first place, it would—as developed in the Minutes—in all places where the Nonconformists were so far a minority in numbers or property as not to be enabled to maintain a school in conformity with the conditions required—deprive the youth of such classes of all chance of participating in the advantages held out by the plan—of becoming pupil-teachers, stipendiary monitors, masters, or obtaining appointments under Government. But, secondly, if it tended to enfeeble and finally to suppress any Nonconformist school, it would not only fail to be a means of diffusing education, but actually, so far as the Nonconformists were concerned, be the means of checking and discouraging it. Let them take the case of a rural parish of from 1,200 to 15,000 inhabitants, and of that number let them assume one-sixth to he Nonconformists. On the ordinary calculation of school accommodation being required for one in six of the population, there would in such a parish be from 150 to 200 children of members of the Establishment, and from thirty to forty of Nonconformists to be educated. What would be the working of the plan in such a parish? Why, almost of necessity that there would be a Church of England school receiving the grants, and that the Nonconformist school would not be of a character to receive them. Was it at all probable that the school of the minority would continue to exist? Was it desirable even? Suppose that in such a parish some wealthy Nonconformist or liberal Churchman were to contribute the funds necessary to claim the Government grant, would it not be an absurd waste of the funds of the State and individuals to maintain two schools where one would amply suffice? The case he had supposed would occur, he was satisfied, not only in one or two, but in thousands of parishes of the kingdom. Were they prepared then to sanction so great an injustice, only to be averted by so great a folly? It was no answer to the case he had made out, to say that the scheme was fair in its terms, if its practical working were undeniably such as he had shown it to be. If they assented to the measure in its present form, if they refused to agree to his Amendment, beyond all doubt they would be committing a great injustice—they would be taxing the whole people for the benefit of a portion only of the people, and that the richest and more powerful portion. In one sense certainly the scheme would be scriptural—"To him that hath shall be given, and from him that hath not shall be taken away even that which he hath." Of course in parishes where the members of the Church of England were in the minority, the exact converse of the case he had supposed would exist; and he should equally protest against the injustice of which they would then be the victims. It had been remarked to him by several Members of the House, that his resolution contained no provision for the children of Dissenters attending Church of England schools receiving religious instruction. He had not thought it desirable to add any such provision to his Motion, as he could not have made it useful or intelligible without going into too great details; but if the House adopted his proposition, it would clearly be in the power of the Committee of Privy Council, in rendering compliance with such resolution one condition of receiving the grant, to prescribe to the managers of schools such rules as they might think proper for insuring on the part of all children permitted to participate in the advantage of secular instruction regular attendance at some place of divine worship. He concluded by moving that—

> "It is expedient that in any plan for promoting the education of the people by pecuniary assistance from the State, provision should be made that in schools receiving such assistance, the opportunity of participating in all instruction, other than religious, should be afforded to children whose parents may object to the religious doctrines taught in such schools."

Mr. CHRISTIE was anxious to explain the reasons which induced him to differ in opinion from a large number of his constituents with respect to the subject before them. It was proposed by the measure of the Government to give aid to schools under certain regulations with which it would often happen that the schools of Dissenters could not comply; and the Dissenters would, in such cases, lose the advantages which it was proposed to give the schools complying with the regulations; but if the Motion of the hon. Baronet were agreed to, it would, in his opinion, afford facilities to the Dissenters to send their children to Church of England schools, which facilities would have a tendency rather to swamp the Dissenting schools, which now went on so well, notwithstanding the opposition of the Church of England schools. The proposal of the Government was a proposal not of a general plan of education on their part, but was a proposal for aiding and improving the voluntary efforts in favour of education. The Roman Catholics were not included amongst those which were to be permitted to partake of any portion of the sum to be granted by this measure—a sum which it would be recollected was not a large one, and which it was the duty of the Government to do as much good with as possible. The Jews were also excluded from it, although they were, by the Act of 9 and 10 Victoria, cap. 59, sec. 2, placed in the same position with respect to schools and places of religious worship as the Dissenters from the Church of England. The words of the second clause of that Act were—

> "And be it Enacted, That, from and after the commencement of this Act, Her Majesty's subjects professing the Jewish religion, in respect to these schools, places of religious worship, education, and charitable purposes, and the property held therewith, shall be subject to the same laws as Her Majesty's Protestant subjects dissenting from the Church of England are subject to, and further or otherwise."

He understood that the Jews had in the metropolis three schools—one an infant school, another an industrial school, and another a free school, as it was called—the latter containing three of four hundred boys; and all those schools very much required assistance; and he hoped that when the claims of the Roman Catholics to aid for their schools came to be considered, the claims of the Jews would not be forgotten. With respect to the subject of including all sects, he would quote the opinion of Edmund Burke, stated in 1775 to a gentleman who claimed him as an exclusive supporter of the Church of England. Mr. Burke said—

> "It is certain that I have, to the best of my power, supported the establishment of the Church upon grounds and principles which I am happy to find countenanced by your approbation. This you have been told; but you have not heard that I supported also the petition of the Dissenters for a larger toleration than they enjoy at present, under the letter of the Act of King William. My ideas of toleration go far beyond even theirs. I would give a full civil protection, in which I include an immunity from all disturbance of their public religious worship, and a power of teaching in schools as well as temples, to Jews, Mahometans, and even Pagans. Much more am I inclined to tolerate those whom I look upon as brethren. I mean all those who profess our common hope, extending to all the reformed and unreformed Churches, both at home and abroad; in none of whom I find anything capitally amiss, but their mutual hatred of each other. I can never think any man a heretic or schismatic by education. It must be, as I conceive, by an act in which his own choice, influenced by blameable passions, is more concerned than it can be by his early prejudices and his being aggregated to bodies for whom men naturally form a great degree of reverence and affection. This is my opinion, and my conduct has been conformable to it. Another age will see it more general; and I think that this general affection to religion will never introduce indifference, but will rather increase real zeal, Christian fervour, and pious emulation: that it will make a common cause against epicurism, and everything that corrupts the mind, and renders it unworthy of its destiny. But toleratien does not exclude national preference, either as to mode or opinions. and all the lawful and honest means which may be used for the support of that preference."

He considered that the system which had been pursued in reference to the schools connected with the University of London was in itself an answer to the objection which had been raised against the measure on the part of the Dissenters. Again, in King's College, within the last few weeks, a Roman Catholic gentleman had been elected a professor for the express purpose of instructing, in the Chinese language, young men who were about to proceed as missionaries to China, The answer to the objections urged against the appointment was, that it was better to have a Roman Catholic professor of Chinese, than none at all; and, by a parity of reasoning, it seemed to him that it would be better to have Roman Catholic schoolmasters than none at all.

MR. VILLIERS observed, that if the Dissenters persevered in what he must call a new principle, namely, in not receiving the public money, then the funds available for schools would be less than formerly, and the consequence would be that there would be more poor children in country parishes left without education than had formerly been the case. He did not blame the Government for this, because if he understood the history of the progress of what was now called State education, it was only owing to religious bodies that any steps had been taken in the matter at all, and it was in consequence of their pre-occupation of the ground that we were not able to make that advance which the House and the country might desire. He saw that a difficulty would arise if the Dissenters refused to take the public money, from the circumstance that the House would then be voting money for one society only, which mixed up religion with education. He took it for granted that the people were determined to give the aid of the State to general education; and the question was how they were to give education to the children of the poor without religious instruction being mixed up with it. We must have some kind of education that all could partake of in schools supported by the public money. He believed that the opinion prevailed much more generally in this country than was supposed, that secular education might be separated from religious instruction; and he thought that the children of Dissenters might be allowed to attend the National schools without being obliged to receive the religious education which was imparted there. He felt that we were only in the infancy of this subject, and he could not join with those who objected to the Government plan. He certainly thought that the Dissenters had rather taken their friends by surprise, because he did not see any difference in principle between this grant of money and former grants. With regard to the objection that this question should not have been discussed as one of the items of the miscellaneous estimates, he must confess that he thought that it had some weight. He knew that his noble Friend (Lord J. Russell) had said that no further sum should be granted without the subject being brought before Parliament; he must state, however, that the objection taken to the course followed by the Government was one which had been frequently taken, and he thought that the opinion prevailed that more caution ought to have been used on a subject relating to religion, than had been observed on this occasion. Every one knew that no man could bring in a Bill affecting religion or commerce, without the whole House being resolved into Committee; and it was upon that account, and that account only, that he did not vote against the Motion of his hon. Friend the Member for Finsbury. With that exception, however, he thought that the Government had done all that it was at present in their power to do. He could not sit down without giving expression to his hope that what the right hon. Baronet the Member for Tamworth had suggested might be carried into effect, and that we should lose no more time in squabbling about the mode in which fellow Christians might teach their children the Christian religion, but that some common ground might be discovered on which Christians of all religious denominations might meet in brotherly love and charity.

Mr. FORBES commended the noble Lord at the head of the Government for the manly way in which he had brought forward the scheme, but should feel it his duty to oppose the project hinted at by the right hon. Gentleman the Member for Tamworth on the previous night. He regretted to hear the speech of the right hon. Gentleman the Secretary of State for the Home Department, and would feel it his duty to oppose any system of education in which the authorized version of the Scriptures was not read.

Mr. MUNTZ said, he could not plead the excuse that he had not caught the Speaker's eye, for he had not endeavoured to catch it. He was not indifferent about the matter—not at all. He had suffered too much in the cause of civil and religious liberty to be careless of any subject connected with either. He did not agree with those who said the State was not bound to educate the children of the poor. He thought the Government as much bound to provide the means of educating those who were not able to educate themselves, as to collect the taxes. He voted against the Government plan, because he thought no class of Her Majesty's subjects who paid taxes ought to be excluded from a boon for which the taxes were raised. He opposed the Maynooth grant for the same reason as he opposed this scheme—because he could not consent to pay for the education of priests for a section of the people. He had opportunities of seeing the advantages which education conferred, having been for forty years superintending a large number of workmen. Those who were educated were docile, easily governed, and attended to their employer; those who were not so were much more difficult of management. Catholics, Protestants, and Dissenters, were all educated in the same school in Birmingham; and why not elsewhere? There was nothing peculiar in the air of Birmingham. After all, he was more in favour of secular education by the State than any other; because it prevented the jarring and conflict of religious tenets. However, he thought, when the religious and the secular were mixed up, it ought at all events to be of universal application, and not of such a nature as to cast a stigma, by exclusion, on any portion of the Queen's subjects.

Mr. STAFFORD O'BRIEN said, the opinion of the hon. Member for Birmingham, as to the principle of applying the proceeds of taxation to the universal education of the people, lost some of its force by the fact that a large portion of the community was wholly opposed to the reception of aid from the State for any system of religious education. There was great difficulty in proposing any general scheme in the present complicated state of society, distracted as it unfortunately was by conflicting religious opinions. He admitted the good temper and moderation with which the hon. Member for Wolverhampton had spoken; but differed from the hon. Member's remark about the Dissenters, whose conduct, he said, had taken many by surprise. He thought that portion of the Dissenters who had sent delegates to London, who had met in Crosby Hall, and who had petitioned that House, had, at all events, been consistent, bold, and straightforward. He should not be doing justice to the Division of Northamptonshire which he represented, if he did not state that all the petitions which he presented averse to this measure — all the letters which he had read from Dissenters resident there — did not contain objections to the Government measures such as had been used generally in that House; but those which had been enunciated in Crosby Hall—those which were found in that circular which they had all seen; those persons could not be charged either with fanatical bigotry or political violence; they averred their dissent with moderation and with fairness, and were entitled to respect for their conscientious conduct. His opinion was, that it was better for the State wholly to abandon the cause of education, and leave it to the voluntary system altogether, than to endeavour to separate the secular from the religious instruction. If they considered politically the experience of the Dissenters since 1839, the hon. Member for Wolverhampton was the last man to say that he had been taken by surprise, because the hon. Member had always advocated the principle of progress as opposed to the let-alone, the *laissez faire* principle; and he must have ill appreciated the force of his own eloquence, if he had supposed that it would be fruitless. It was not at all surprising to him that the Dissenters should have reasoned thus — the Government had declared that it could not properly interfere with commerce and trade, and so it should not interfere with education. The difficulty of that argument had been felt, and, consequently, the case in that House had been argued merely as a question of police—as though they were striking a balance between the expense of schools and of gaols; and the Crosby Hall arguments were better than that. But he wished that some hon. Member would rise up, and show that the Dissenters were not only wrong in resisting the measure, but inconsistent in resisting it on that principle. Had that principle of non-interference been persisted in? All the present Session the House had abandoned the free-trade principle; for whether they interfered with the wages of the labourer, or with the profits of the manufacturer, or whether they interfered with education, they still acted on that doctrine of interference for protection, which last Session, because it then suited their purpose, they had repudiated. The right hon. Baronet the apostle of free trade, which he had taken and adopted from the hon. Member for Stockport, last night said that the voluntary principle was not sufficient; then, that this measure was the voluntary principle; and then he selected the very worst example for the application of the voluntary principle. When hon. Members urged so vehemently the necessity of secular education, would they be so good as to say what education was? Was it mere instruction — mere book knowledge? or was it the training and educing of the better parts of our nature? Would the former ensure the institutions of the country, or give security to property and life? It might be very well for those who, like the hon. Member for Southwark (Sir W. Molesworth), said that no advance had been made in the science of ethics since the days of Aristotle and Plato, to advocate the exclusion of religious instruction; but if the great majority of that House, who thought that there had been a great advance in the science of ethics since those days, were to be content with such a system of education, they would certainly be visited with the punishment they deserved.

Dr. BOWRING said, a great part of the hon. Gentleman's speech was totally irrelevant to the question before the House. With respect to himself, he had never known votes cause him more pain than the vote which he had given and the votes he should be obliged to give on this subject. It pained him lest it might be thought that he felt less interest in the extension of instruction than those who supported the scheme of the Government. On the contrary, he deemed it a shame and opprobrium to the country that such multitudes were unprovided with popular education. He was bound to acknowledge that voluntary efforts had not accomplished the objects which were desired, notwithstanding the great and long-continued exertions made by the Dissenting body. Those exertions had failed, and much remained to be done; and he only regretted that the measure of the Government had not been so presented as to be universally acceptable. And the reason was, that in its practical workings the religious susceptibilities and convictions of many were interfered with, and a standard of religious faith introduced which necessarily led to exclusions and disabilities. He believed that the scheme, as presented by the Government, had not succeeded in any part of the world, and could not succeed here. State education could never be universal, if the State required certain conditions as to religious opinions. When he heard it stated that the Government instruction must be religious, he said that was only a controversy about words. All secular instruction was eminently religious that elevated the minds and purified the morals of the people. It was owned by every one, that, with respect to the Roman Catholics, the Government was in a false position. The Government admitted that wrong was done to the Catholics, and intimated that that wrong would be redressed at a future period; but he thought that there ought to be no delay in the redress of a wrong, the existence of which was acknowledged. A menace had been held out that the Government would hear of this question at the next election. They were to be held up as infidels, because, though they said they could not do justice to the Catholics now, they had held out a hope that justice would be done them hereafter. Religious instruction was not to be obtained for the people by a peremptory Act of Parliament, drawing distinctions between various classes of Her Majesty's subjects; the children of the families belonging to the several denominations ought to be instructed in religion by the clergy of those denominations respectively. And, after all, what fine distinctions were these between two versions, where the knowledge and the sincerity of the several translators was not impeached; ought the instruction of millions to be made dependent upon points like these? It must be confessed that the present controversy was in many respects eminently childish; and the conclusion might well be drawn, that our hearts were not sincerely set upon the great work pretended to be had in view. There were Gentlemen so attached to their particular theories and creeds, that unless these were to be inculcated, they declared that the people should not be educated. These persons assumed that they, and they alone, were the possessors of truth; forgetting that they were not gifted with the sagacity alone to discover what truth was. That was always one of the most entangled questions. For himself, he came to this conclusion—he did not know what was true, but he did know what was charitable; and men might be wrong in their creeds, but they could not be wrong if their principles were benevolent. There was in the world much truth and much falsehood; but the falsehood must be on the side of persecution, and truth on the side of kindness and charity.

Mr. TRELAWNY said, he could not vote last night with the hon. Member for Finsbury, because he thought the present was a time not for deliberation, but for action. He had no objection to the Government measure, on the ground that it was unconstitutional; on the contrary, he held this grant to be eminently constitutional, because it left to Parliament the annual opportunity of reconsidering it; and as to the amount, if two millions a year were proposed for education, he should be ready to vote for it. Nor did he object on the ground that it was essentially different from the grant of 1839; for the two grants were, in principle, identically the same. He was a sincere believer in the voluntary principle; but he thought that the measure of 1839 violated that principle quite as much as the present. He repeated that the amount was quite inconsiderable. It was a sort of political bathos to ask for so small a sum; it was, as it were, damning the cause with faint praise. But he had some great objections to the Government measure. He certainly objected very strongly to the exclusion of the Roman Catholics. He objected to any test being introduced into schools; and on that point he agreed with what had been said by the hon. Member for Bolton. He was sensible of the good effects which had followed the introduction of a more tolerant system of education into public schools. It had excited more kindly feelings among members of the community. To show the effect which the general tolerance which prevailed in that House had had upon his own feelings, he might mention that before he became a Member of it, there were hon. Gentlemen now present whom he could have seen flayed alive; but for whom he now entertained kindly and respectful feelings. As he had already mentioned, he was a firm supporter of the voluntary principle in the matter of religion ; but whilst he would repudiate State assistance in that matter, he would not object to it in the case of education, because there was an essential difference between the two cases. In the case of schools, what was taught were facts upon which all were agreed; but as regarded religion, the same agreement did not and could not exist; because religious matters were not susceptible of the same degree of demonstration as the subjects taught in schools.

MR. BROTHERTON : The hon. Member for Staffordshire had asked what was education ? He thought the best definition of it was such a training as would fit a man for performing the duties of his sphere in life, and, combined with that, some instruction as to his duties to his Maker and his neighbour. The House had heard much of this measure as calculated to extend the political power and influence of the Established Church; but the main question to be considered was, whether it was calculated to be beneficial to the people. Considering the amount of ignorance and crime, and the taxation for its punishment, in this country, he was compelled to acknowledge that the voluntary system with regard to education was not sufficient to meet the evil. In the votes he had given and might give, his object was to make the measure as perfect as possible, and that justice should be done to all classes of the community. Allusion had been made to the state of education in Manchester. The right hon. Baronet the Member for Tamworth had alluded last night to the immense number of Irish in Manchester, amounting to 60,000. He believed, that in that district the proportion of those apprehended for various offences who were unable to read or write, had increased rather than diminished. From the returns made by the police, it appeared that the number of persons annually taken into custody in the borough of Manchester was about 10,000. Of that number in 1840, 50 per cent could neither read nor write. In 1841, 52 per cent, and in 1843, 55 per cent could not read. The average number of convictions from 1839 to 1843 in England and Wales was 93,877; of these, 36 per cent could neither read nor write, and 55 per cent could read only, or write imperfectly. From the report of the Registrar General it appeared that out of 123,818 marriages in 1843, 101,235 persons signed with marks. With such facts as these before them, who could say that the voluntary system had been successful ? He had made a calculation which he believed would be found correct, that it cost this country more than 2,500,000*l*. a year for the punishment of crime. He should be most willing to vote any reasonable sum for the prevention of crime. It appeared to him an extraordinary anomaly to expend so much money in gaols, and so little in schools. The cost of the Army, Navy, and Ordnance last year was 16,000,000*l*. The people expended 50,000,000 a year in intoxicating liquors. There were 20,000 places of worship, and 120,000 public-houses and beer-shops. Surely it was time that something should be done to teach the people their best interests, their rights and their duties, that their physical and moral condition might be improved. One objection to the voluntary system was, that it appeared to him to be humiliating to the working classes that they should be dependent on the charity of their richer neighbours, for the education of their children, if they were to be educated at all. The love of power or ostentation was stronger in some persons than the love of usefulness. He said, therefore, let the people be educated at the expense of the State. He was not jealous of the power of the Church; if they educated the people they improved them. If they wished to make the people of this country religious, they must improve their minds by teaching them those truths which it was important they should learn. What was the reason that the light of truth had so little power over the minds of Roman Catholics, and their priests so much ? Because the mass had always been kept in a state of ignorance and superstition. He had voted in favour of the Amendments proposed, because the measure of the Government was partial in its application, and therefore not just. Had the Government brought forward a perfect scheme, he should have had no objection to their proceeding by Bill;

but looking to the state of society in this country, and the feeling prevalent in Parliament at present, he feared that if they were to proceed by Bill, the measure would be an imperfect one, and which, if passed into law, it would be impossible to undo. As long as there was an annual grant for education—as long as the matter was in the hands of Ministers, and the Commons of England had an opportunity every year of expressing their opinions upon the system—he had no doubt that the plan would be gradually improved and rendered of general benefit to the country; and sure he was, that if the time arrived when a measure could be adopted, founded on the principle of general justice, they might then proceed by Bill, and establish it for ever.

Mr. ACLAND believed the Government had acted wisely in proceeding in the way they had adopted, and trusted that the spirit in which they had dealt with the question, and the spirit in which it would be received by the country, would be rewarded with blessings to the country, and to themselves, in the success of a well-intended measure. There had been, he considered, a great deal of misunderstanding on this subject. The Government, he believed, did not consider the present as the best possible measure, but as the measure which it was right for them to bring forward in present circumstances. He contended that the objection to the teaching of Church of England ministers was not so widely diffused among Dissenters as was supposed. He knew of several places where the Church of England schools, superintended by clergymen of the establishment, were largely attended by the children of Dissenters. Far be it from him to say, that there was any want of sincerity in their peculiar doctrines on the part of Dissenting parents who sent their children to those schools; he thought the reason they did so was, that they did not consider there was so much difference in doctrine as should exclude their children from the benefits of the education given there. The bulk of the clergy, he believed, gave every real and practicable facility to those parents who conscientiously objected to their children being put under the teaching of the Church; but if the State were to lay down an unbending principle, that two systems of education—one full and complete, and the other marked out as different—should be pursued in the same school, the clergy would find it very difficult to do their duty. The practice of King Edward's school at Birmingham had been referred to on this subject. Now, he had the greatest respect for Mr. Prince Lee as an able and conscientious man; but he was sure he should be borne out, when he said that the school at Birmingham formed no example for ordinary parochial schools, and could not be beneficially held up in that light. Any one who knew what earnest-minded men were doing in their schools, must know that such a system as that was utterly impracticable in ordinary parishes. The reason why he adopted the Minutes of the Council might appear paradoxical; but he took them because he considered them an emphatic declaration on the part of the Government that the State could not be the educator of the people; for he said that it was not the duty of the State to educate the people, but to see that they were educated; to promote, assist, and encourage education; and, under some peculiar circumstances, in some degree to control it. He admitted that he had once entertained considerable apprehensions as to the spirit and the ulterior views of the Committee of the Privy Council, and had felt serious fears of the influence of the Secretary; but he could not help saying, that the spirit in which that gentleman had devoted himself to this subject, the conciliatory mode in which he had adjusted conflicting claims, but above all the eminently practical nature of the Minutes, were deserving of every acknowledgment and praise. He accepted the Minutes especially, because they showed the intention of the Government to adopt the exertions of men of humble station but of Christian spirit, who were labouring throughout the country and making voluntary exertions. He confessed that he had been sorry to hear the case of a Sunday-school pupil, who had been six years at school, held up to ridicule because he could not read, as the lad might have been idle or stupid, and the case proved nothing at all; and he believed that a great deal of zeal and of Christian faithfulness had been brought to bear in the Sunday schools by young men and women, who having worked ten hours a day during the week, had given up their time on Sunday to teaching, and, in the absence of a more perfect system, they had done great good. As to the voluntary system, if left alone, he knew it to be imperfect; but the course which the Government had pursued during the last ten years had drawn forth a great increase of voluntary exertion, and the 500,000*l.* granted during the last few years had called forward nearly 100,000*l.* a year of annual subscriptions. He agreed that even this was inadequate; and he hoped that nothing of religious discord would prevent the Government from meeting all cases of educational destitution. Hence he somewhat regretted the remarks made by the right hon. Gentleman the Member for Tamworth, in which the right hon. Gentleman did not appear to be altogether endeavouring to assist the Government in carrying their measure into execution, when he pressed them to deal with the case of the Roman Catholics during the present Session. With respect to the Roman Catholics, indeed, he did not see what reason there was for charging the Government with acting otherwise than straightforwardly. They had not concealed their wish to assist Roman Catholic schools, or their intention to do so; and he was bound to say that there was no help for it. For himself, he thankfully accepted the plan of the present Government, and he had no desire to say anything against the right hon. Baronet; but if he had voted against the system of colleges in Ireland, it was because he thought it unnecessary to pass over the religious convictions of a great body of the Irish nation, and he believed that the conscientious Dissenters would spurn any plan which wholly excluded religion. He heartily welcomed the system of the present Government: he hoped it would succeed—that it would effect all the good which they anticipated—and that it would stand in the way of any such system as prevailed in the colleges in Ireland. He expressed his thanks particularly to the Government, for paying attention to the quality of the education rather than to the quantity; they had been building schools rather too fast—providing good schoolmasters was what was needed; and on this point the hon. Member for Waterford was entitled to receive much of the reward of the Government, for he had laboured honestly to make good teachers, as the only way effectually to effect the education of the people. In this respect the Government had hit the real difficulty of the question, by preserving the aid of intelligent lads who were now called away to other occupations. With reference to another objection, he agreed that the Church had many gentlemen clergy, and that they wanted members of the ministry of another order; but the money granted for schools ought not to be applied to support deacons for the Church. He would be no party to such a plan; but he knew the good done by the Rev. George Moody, who, seeing the state of the Westminster model schools, had taken the office of National schoolmaster, being a gentleman and a clergyman. Again, because the Bishop of London had thought proper to make the present master, Mr. Wilson, a deacon, was he on that account to be disqualified from taking pupil-teachers, or receiving any advantage from the present grant? He asked the Government, therefore, to be careful in framing these Minutes, not to debar men who might do their duty more efficiently than any others, from rendering their services.

MR. H. BERKELEY said, the House would not be surprised that he should be anxious to say a few words, both as regarded the vote he had given on this question, and the vote he intended to give. Approving of the political conduct of the noble Lord's Government, and acting in conjunction with them as he had done and hoped still to do, it seemed to him that explanation on this subject was natural, not to say necessary. It was not the principle of the Government measure to which he objected, for it seemed to him that the funds of the people could hardly be put to a better purpose than in an attempt to dispel that dark cloud of ignorance which had so long overwhelmed the country, and disgraced it in the eyes of the world. In the principle he heartily concurred; and he thought to insist upon the voluntary system, which had notoriously failed to the extent of the exigency, and to refuse Government aid, if that aid could be made properly available, was little less than insanity. If Government could produce a system of national education which would give promise of working well, and with perfect equality to all classes of religion, let them proceed in the good work—it was deserving of all praise. In the case of the famine in Ireland, Ministers did not hesitate to step forward, and, freely using the funds of the people, endeavoured to check the evil, with the consent and approbation of all parties. Was the famine of the body worse than the famine of the mind? Were the evils attendant upon physical want, worse than those which followed in the track of moral destitution? If physical famine led from demoralisation to death, famine from the want of mental nourishment led from demoralisation to the destruction of both body and soul. To the principle, then, of national education, and to Government aid to carry that principle out, he yielded his perfect assent; and there he paused—for he felt that a measure might be excellent in principle, and yet in detail so faulty that it ought not to be carried into effect; and this he held to be the case with the present measure. To the details of this measure he had most serious objections; so much so that he had voted for the Amendment of his hon. Friend the Member for Finsbury; and he should decidedly vote for the Amendment of his hon. Friend the Member for the Tower Hamlets. A great number of the petitions laid on the Table had prayed Government to bring the Minutes of Council before Parliament in the shape of a Bill; and this had seemed to him the best mode, because Members might have discussed the principle at the second reading, and the details in Committee; but he confessed that the reasons given during the debate against that course seemed to him to have considerable foundation; and, therefore, as the only notice he could take of the details, he should venture to point out a few of the circumstances in the Minutes which led him to oppose this measure. He could not vote for a measure which, professing to provide equally for the education of all classes of religion, evidently recognised the domination of the Church of England. It was impossible to come to any other conclusion after a minute inspection of the document now before the House. He should have quoted the omission of the Catholics; but from what passed in the first debate, he had hopes that they would be cared for; he used the word omission, advisedly, for to tell a body of men they might have the benefit of an institution if they would read a work, having first ascertained they would not—seemed to him tantamount to exclusion. Now, were the Nonconformists better off? He believed the operation of that measure would prove that they were not. The machinery proposed was to him suspicious, to say the least of it. The power given to a class of officers called inspectors was plenary, unlimited; now he found that these inspectors were the beginning, the middle, and the end of everything in these Minutes. Shall a grant be made to a school? Ask the inspector. Shall a master be continued or discharged? Ask the inspector. Shall a pupil-candidate become a teacher? If it so please the inspector, but he must consult the master; now, as the master was affected by the report of the inspector, whose voice would be most potential? If the master or mistress of a school desire to have a pupil apprenticed to him or her; ask the inspector. The stipends of pupil-teachers and of a curious kind of officer called in these Minutes a stipendiary monitor, all depend on the breath or pen of the inspector! The grant of an exhibition of 20*l.* or 25*l.* may be given to a pupil-teacher in normal schools, if it so please these grand viziers the inspectors. No pensions can be granted for long and meritorious services, unless at the pleasure of these mighty men the inspectors. Now he would ask who inspected the inspectors? By whom were these inspectors appointed? At present there were 15 inspectors, thus constituted:—9 for Church of England schools, by the Archbishop of Canterbury; 2 Church of Scotland; 2 lay inspectors; 2 Dissenting inspectors. How many more were to be called into existence did not appear in these Minutes. Was there no cause for inquiry here? Was there no cause for jealousy, none for suspicion? What were the motives and feelings which in the main loaded that Table with petitions for and against the measure? Some few there were in favour, emanating from men who omitting to look at the less prominent mischief of the measure, were anxious for education at any rate; and others, clergymen and strong advocates for a State Church, supported the measure because they saw in it excellent encouragement for orthodoxy; and on the other side the Dissenters saw in the measure the prospect of money and means being brought against them in favour of a powerful and rich rival establishment, and felt great jealousy on the occasion—and well they might; he participated in the feeling. The Church of England had above six millions of revenue, and in competing in the race of education with the Nonconformists, who were without a shilling to bless themselves with but that which arose from the voluntary system, had been disgracefully beaten. So said the right hon. Baronet the Member for Dorchester; and yet still the laurels which they had won were to be torn from the Nonconformists, by the State Church being urged forward with Ministers at her back. [*Cheers, and* "No, no," *from the Ministerial Bench.*] Well, he sincerely hoped not; but he believed that such would be the effect of this measure: the clergy of the Church of England believed it, and so did the Nonconforming clergy. Seldom had been heard more eloquence than his noble and hon. Friends had displayed;

never had more ability been thrown upon a subject than on the present debates by Ministers, and indeed by Members on both sides; but the theme was grateful and easy, the principle noble. The beauty of virtue, the ugliness of vice, the attributes of education, those of ignorance. The right hon. Gentleman the Member for Edinburgh had been particularly brilliant—he had however expected that right hon. Gentleman to have carried his history of ignorance down to the present day; he had given a graphic description of the horrors of ignorance and their fatal consequences, in the religious riots caused by Lord George Gordon; why did not the right hon. Gentleman carry his history down to the present time, and point out the mass of ignorance collected under the cathedral walls of the great diocesan, in that county so well besprinkled with clergymen, where the Plumtree and other holy trees blossomed?—and then he might have commented upon the gross and blind ignorance of thousands who believed in the divinity of a miserable maniac, and were by him led on to bloodshed and murder. Let the Church take the lead: he desired it; but as the right hon. Baronet (Sir J. Graham) had said, let it be by eminence in good works. The measure before them would pass with acclamation, with great majorities; he cared not for that, he had seen worse measures so hailed. Two years ago the late Ministry came down to that House with a bad measure: it passed by acclamation, a Bill to abolish imprisonment for debt. The then Attorney General made a powerful speech on the horrors of prisons; the right hon. Baronet (Sir J. Graham) made a strong appeal to humanity. The Bill became a law; in six months half the tradesmen of England were on the brink of ruin. The following Session they came down to the House, repealed their popular bad measure, and invented a very good one. Thus would it be with this measure of the present Government. It never could work well, and they would have to substitute another in its place.

Sir J. PAKINGTON begged to remind the House that the question immediately before it was the Amendment of the hon. Member for the Tower Hamlets. To the principle of that Amendment he assented. It was carried out at that noble institution, King Edward's School at Birmigham, under the direction of the Rev. Prince Lee, and at other schools in the country; but at the present time he was not prepared to make that principle compulsory. He thought it far better that its adoption should be left to the voluntary exertions of those at the head of the various schools, and he hoped that ere long that concession would generally be made without the interference of Parliament.

Sir B. HALL said, that as he approved of the Amendment of his hon. Friend, he certainly should vote in favour of it. As it seemed clear that the proposal of the Government would be carried into effect, the best thing they could do was to make it as palatable as possible to the various classes of the community; and he believed that the Amendment of his hon. Friend would have that effect. He was not surprised at the course taken by the hon. Members for Stirlingshire and Kent, because they approved of no education save an exclusive and religious education; but he was surprised at the votes intended to be recorded by some hon. Members who expressed their approval of the principle of the Amendment, and yet intended to oppose it. He was no less surprised at the course which he supposed was to be taken by the Government. He had listened with great attention to a speech much praised in the House—the speech of the right hon. Gentleman the Member for Edinburgh—and that right hon. Gentleman had said that no education was sectarian. But if education was not to be sectarian, why oppose the Amendment of his hon. Friend? In the course of his speech, with all its eloquence, the right hon. Gentleman had not touched upon the real arguments against the proposed measure. The conduct of the Government had given great dissatisfaction to the Dissenters of the country. The noble Lord had afforded a conference to the Wesleyans, but had refused an interview to other bodies of Dissenters, and to the Roman Catholic prelates. The Roman Catholics thought themselves very much aggrieved by the conduct of the Government. [Sir J. C. Hobhouse: There's a Motion on Monday on the subject.] Well, if there were a Motion on Monday—perhaps he should not be able to address the House upon it. He had already risen twenty times, and had not been able to speak, and, therefore, he thought himself entitled at once to refer to the treatment of the Roman Catholics. The Roman Catholics were, in his opinion, the very persons to whom the Government should afford education; for they were the persons against whom bigotry and intolerance raged most fiercely, and the Government were frightened by the threats of the cry of "No Popery." He thought, therefore, that Minutes ought at once to be introduced, admitting Roman Catholics to the benefits of the plan. When the right hon. Gentleman alluded to some small districts in which he said that the Dissenters would be in the minority, and the members of the Church of England in the majority, he made no allusion whatever to those districts in which the Dissenters would be in the majority, and those who professed the tenets of the Church of England in the minority. Now, he would give the right hon. Gentleman an instance of a parish with which he was connected, and which he knew well. And, first of all, he would show the great progress of Dissent in Wales; and in so doing, he believed he should have to state that which might not be generally known in the House. Only 100 years ago, in the whole of North Wales, there were only six Dissenting chapels. But what was the case now? If they travelled through North Wales, and it was not a very large portion of Wales, they would find at least sixty or seventy such chapels. And what was the cause of that progress of Dissent in Wales? Why, he believed that the chief cause was the appointments which had taken place in the higher stations of their own Church by the different Governments of the day. He knew the Welsh people. They were a moral and religious people, and the first desire of a person who became afflicted with sickness was that the spiritual pastor of the district should be immediately sent for, that he might pray with them. And did they suppose that he would send for a person to pray in a language which they did not understand? He believed, therefore, that the real cause of the rapid progress of Dissent which had taken place in Wales, was owing to the Government sending the bishops and clergy into Wales who could not preach to the people in a language which they understood. Why, let them fancy themselves to be placed in a similar position, would they not be inclined to adopt the course pursued by the majority of the people of Wales? Then they could not blame that people. He remembered being informed, on a visit which he paid to the right rev. the President of the Roman Catholic Institution, at Prior Park, that they were actually educating Welshmen as priests, in order that they might go amongst the people of Wales and perform clerical duties amongst them. The Roman Catholics were always anxious to step in where they had the least opportunity of making converts, and he did not blame their zeal. He believed that the Dissenters had now taken possession of the heart of that country; and the House ought not, therefore, to be surprised at the extent of Dissent in Wales, because this country was the cause of it. He thought that this and every other Government should insist upon every clergyman whom they sent into Wales being able to speak in the language of that country, and that the bishops should properly discharge their various duties. In the diocese with which he was connected in that country, five clerical appointments had recently taken place, viz., one dean, two archdeacons, and two chancellors, only one of whom could read or speak the language of that country. Who, then, could be surprised at the extent of Dissent in Wales? He would now show the House whether the Church of England or Dissent was in the majority in the district in Wales with which he was connected. There were 25,000 inhabitants in that parish; 32 Dissenting chapels, the average attendance at which was 15,300; there were but five Church of England chapels, the average attendance at which was only 2,590. In the adjoining parish there was a population of 8,000; there were ten Dissenting chapels, the average attendance being 3,200; there were but three Church of England chapels, at which the average attendance was only 140. In such cases, therefore, as these, he thought that unless they passed some resolution of the kind then before the House, the people who were members of the Church of England would not have those advantages which they ought to have from the national grants for the purposes of education, for in such parishes there was scarcely anybody likely to give them the slightest support. He had no hesitation in saying, as a landowner, that he would not set up any school exclusively for the members of the Church of England. He could not do so; he could not put aside all the Dissenters whom he had mentioned; he must endeavour to make some arrangement by which the people might receive the benefits of a sound education. But supposing some one to succeed him there who might not hold the same opinions, then there ought to be some security afforded to the people that no intolerance should be permitted to exist in those districts on the subject of religious education. He entirely agreed with what had fallen from the hon. Member for Somersetshire. He should certainly offer his most decided opposition to any compulsory system of education by the Government. He did not think that such a system would be palatable in this country. He knew that there were some hon. Gentlemen who thought that such a system would work well, because they viewed with admiration what had taken place on that head in foreign countries. The House had often heard Prussia cited as an example of the excellence of the schools, and the great extent to which the Prussian people were educated. He ought to know something of that country; and he must say that a system of national compulsory education might do very well for a country in which the Government was truly despotic, but he did not think that it would do well for such a nation as this. He did not think that it would do for a country like this, where the people had been taught for many years to depend upon their own exertions, and they saw the proud result of those exertions. Now, what was the condition of Prussia? Why, in Prussia the State was everything, and the people nothing. It was very true that they had just had some sort of a constitution offered to them; but it was, in fact, a mere nothing: it was only the first step in the right direction. It was very well known that in Prussia the King and his Ministers could compel the attendance at schools of the children of that country, the penalties for non-observance of their orders on the part of their parents being fine and imprisonment; and in case of a party not having attended school in his childhood, he was incapaciated from fulfilling any situation. Now, he was very much struck with a passage which occurred in a pamphlet written by Dr. Kay, descriptive of his tour through Prussia, in which he stated that, notwithstanding the people had been brought up under a compulsory system of education for the last three hundred years, yet the people were wanting in morality and good order, and that the children attending the schools were the most vicious he had ever seen in any country. He also said that he did not believe that Protestantism was an enemy to good order; but he did believe that Protestantism with an uneducated people was decidedly bad, whilst Catholicism was the reverse; that he would much rather have religious superstition, morality, and good order, than Protestantism and sensuality and revolutionary principles. He would say then, in conclusion, that unless some such Motion as that of the hon. Baronet were adopted, or unless the Government would give some assurrance that they would carry out their propositions in a proper spirit, he feared that great dissatisfaction would be experienced. In opposing the plan which had been brought forward by the Government, he did so because he sincerely believed that it would have a tendency to increase the unhappy differences which at present existed between the members of the Church of England and the various Dissenting bodies.

MR. HENLEY differed entirely, not only from the hon. Baronet who had just addressed the House, but also from the proposition of his hon. Friend the Member for the Tower Hamlets, and he trusted that the House would indulge him for a few moments whilst he stated his views on this subject. He would not presume to go into the question which had been so much debated on the previous night. Now really it appeared very odd to him that this measure of education should be opposed by the so-called friends of education under the plea of liberty of conscience. The noble Lord at the head of Her Majesty's Government some two or three nights ago, as well as several hon. Gentlemen on that (the Opposition) side of the House, spoke loudly in favour of this Motion, and he said it was a hardship that persons attending the Church of England schools should be obliged to repeat the Church catechism; but he said that he could not at the present moment propose any alteration in the plan in that particular. Now it was very unfortunate that the noble Lord and the many hon. Gentlemen who had spoken in favour of the Motion of his hon. Friend the Member for the Tower Hamlets, should yet confess that at present they could not vote for it. Two right hon. Baronets (Sir R. Peel and Sir J. Graham) on that side of the House, had expressed themselves very friendly to the scheme of the Government, and they certainly took good care to facilitate its quiet passage through the House. He conscientiously disapproved of the principle of compelling persons to attend the schools established by the Church of England. He could not understand how any man who called himself a friend of liberty of conscience, could actually attempt to force other people to do that which might be painful to their conscience. He could not call that liberty of conscience: it was tyranny, which was very often attempted to be exercised under the name of freedom or liberality. And he warned the noble Lord at the head of Her Majesty's Government to act with prudence when settling the Minutes of the Privy Council with regard to education. He warned them not to attempt now or at any time hereafter to force the Church of England to educate her children in a way that in her conscience she did not believe to be right; and that if he did so he would create such an opposition as he little dreamt of. There were some expressions in the speech of the noble Lord the other night on this subject which had been much noticed in the country. It had been well said by an hon. Baronet the other night in the course of the debate, that the Church was taking a very considerable hold of the people—much greater indeed than she had for some years back. He would ask whether they believed that she had got that hold by sacrificing her distinctive principles, by adopting a slip-slop religion, if he might so call it, and pretending to do one thing, and actually doing another? No, she had obtained that hold by her increased zeal, and the steady maintenance of her distinctive principles. He believed that she would not suffer herself to be controlled as to the manner in which she imparted religious education to her children. That had been her course hitherto. He believed that it was the sincerity of her professions, the zeal and good conduct of her members, which had taken the great hold on the people of this country alluded to by the hon. Baronet on that side of the House. Holding these opinions, then, he felt himself bound to vote against the Motion of the hon. Baronet the Member for the Tower Hamlets. He hoped that the Church would steadfastly and honestly refuse to give up what she believed to be true. She had refused to teach falsehood to the people, and he hoped that she would ever continue in the same course, never omitting to instruct those who were intrusted to her charge in what she believed to be the foundation of all useful knowledge; and he had no doubt that if she did she would be crowned with success.

Sir G. GREY said, that not one word had been said that evening in the course of the debate, with respect to the specific Motion before the House. It had been merely a continuation of the three past nights' debate, until the speech of the hon. Gentleman who had just sat down, who had certainly confined himself strictly to the terms of the Motion. He, however, widely differed from the hon. Member in some of his observations respecting the conduct which ought to be pursued by the clergy of the Established Church. He hoped that the clergy would rather follow the advice of the hon. Member for Droitwich, and the hon. Member for Oxford. It was not the intention of the Government, that in schools receiving aid from the grant, any restriction should be imposed upon the religious teaching of the children, other than those that at present existed. He hoped that there would be an extension of that liberal feeling, and of that common sense which was daily becoming more prevalent, and which he hoped would soon become universal. The Government had not proposed to establish any system of their own. They merely proposed to assist existing institutions, thereby enabling them to extend their usefulness and efficiency, and to raise the character and position of the schoolmasters. To adopt the principle of the hon. Member for the Tower Hamlets, would be inconsistent with the system upon which the Government had resolved to act. If they were to say to the British and Foreign School Society, to the Wesleyans, or to any other class of Dissenters, or even to the Roman Catholics, who he hoped would soon be included, that they were willing to give them aid, but that they could not do so until they had agreed to conform to the model which had been laid down, it would be wholly inconsistent with the present state of things, and with that voluntary principle which was now maintained. That children of different religious denominations might be educated at the same school, was a very different principle from attempting to interfere by arbitrary regulations which would defeat the very object they had in view. These were the reasons which induced him to oppose the Motion of the hon. Gentleman, which he conceived to be in opposition to the Government plan.

Mr. ROEBUCK said, there was one thing exceedingly gratifying to all friends of liberal education in this country, which was the wish expressed by every person whose opinion was worth having, as to its being absolutely necessary that there should be some system of public education for the people; and secondly, that that education should be one which would include all classes of Her Majesty's subjects. Those were propositions which had been ably maintained by many hon. Members during the debate for the last few nights, and by none more forcibly or eloquently than by the right hon. Member for Edinburgh. And he should say, that he did not think that persons holding the opinions of the hon. Member for the Tower Hamlets, of the right hon. Baronet the Member for Tamworth, or of the noble Lord the Member for London, were open to the imputation of being infidels, because they did not come up to the strict measure of intolerance required by some persons in this country. To prevent any mistake as to the views he had, in voting upon the proposition of the hon. Member for the Tower Hamlets, he should beg to offer a few observations to the House. He took it for granted that it was an acknowledged fact, that the Government should educate the people. He assumed that it was the business of the Government to educate the largest number possible of the people. It had been said by the noble Lord at the head of the Government, and re-echoed by the right hon. Baronet the Member for Tamworth, that it would not do for the Government to half educate the people. But he should take leave to transpose some of those words. He should say that he did not think it would do for the Government to educate only half the people. The noble Lord said that he was not willing to give half an education. What then did he propose to do? To educate half the people —leaving the other half in that brute ignorance which had been described so forcibly by the right hon. Baronet the Member for Tamworth, who, in speaking of the condition of the people about Manchester, had used the words, "savage ignorance," in describing that condition of utter want of education by which they now oppressed society. And that reminded him of a prophecy of his own made a few nights ago, when he had said, that go as far as the noble Lord would, the right hon. Baronet would go beyond him. However unfortunate it might be for themselves, it was fortunate for England that they did so. The advocates of education, however, would get what they desired. They would get education for the people. They would get real tolerance in spite of the hon. Member for Kent. They should have the people made real Christians, but not after the fashion of one sect or another. They should have the noble Lord running a race of liberality with the right hon. Member for Tamworth; and they cared little who won in that neck-and-neck race, for it could only be won by that small fraction of liberality which was represented by such a distance. But what, he would ask, was the meaning of the phrase "religious education?"—which fitted equally the mouth of the right hon. Baronet and that of the noble Lord, and which issued with the same sort of efficiency from that of the hon. Baronet the member for the University of Oxford and from his own. If he understood aright what was education, he thought it was a sort of fashioning of the minds of the various persons who received instruction, so as to fit them morally and intellectually for the pursuit of happiness. To give knowledge was agreed upon by all parties as proper. The propriety of giving mathematical, geographical, or historical instruction to the people, was not disputed. It surely then could not matter whether the teaching that two and two made four, were conveyed by a Roman Catholic, or a professor of any other religious denomination. Education was a fashioning of the habits of the people, to the influences by which they were surrounded in society—those influences being the opinion of the family, the opinion of society out of doors, the law, and a belief in a future state of rewards and punishments. Did they not all agree that there was a future state of rewards and punishments? And did they believe that a child was likely to be influenced in his moral associations, in his habits, so as to be a recipient of happiness himself, and competent to communicate it to others, by entertaining that common creed? What, then, was it that was raised as a bugbear on the present occasion? Did any one doubt as to the means of forming the moral habits of the next generation? No; then what was it they differed about? Why, the fantastic dogmata propounded by those who desired to separate the community by prejudice, passion, and by ignorance, but never made use of by those who really intended the happiness of their kind. It was in consequence of these dogmata, these peculiarities of faith, as they were called, these differences between the Douay and the English authorized version, that all this great pother and disburbance about religious education had been created. The reality no man disputed; they all wished for that which every one admitted was desirable, viz., a belief in the minds of the people of a future state—that expectation of future rewards and punishments which should induce virtuous habits and moral conduct. That was a religion which was common to them all; and yet, entertaining this faith, they had raised up that phantom—phantom, in words, but most direful in reality—religious hatred among those who should be brethren. There was no difference about the knowledge which ought to be imparted; there was no difference about the mode in which the habits could be fashioned; the only difference was respecting the peculiar dogmata arising from religion. If any one distrusted the peculiarities of a religion, and was doubtful of their effect upon a member of the community, he should ask himself, "Don't I know gentlemen of the Roman Catholic persuasion? Are they not honest? Are they not good fathers, good brothers, good citizens?" Yes, such men were known; then it was clear their religion had not had an evil or mischievous influence on their moral character. They knew Baptists; were they not good Christians, in the real sense of the word—good fathers, good brothers, good citizens? He might run through every form of religion existing in society—the Jew, the Gentile, the Christian, here in England—and were they not all good fathers, good brothers, good citizens, good men, in spite of those peculiar differences which arose in every civilized community, and which would be met with the more frequently the more civilized the country became? Well, then, if that were the case, what did the noble Lord, and what did the right hon. Baronet mean when they said we must teach religion? Did he object to their teaching the expectation of rewards hereafter for good conduct here? Not at all; but what he did object to was, that they should create a standard of their own; that the hon. Member for Kent (Mr. Plumptre) should point out his mind—his mind!—as the standard for all virtuous and intellectual effort. His mind! To say, "All men who don't agree with me are doomed!" What did he mean by "doomed?" Put an "a" in the place of the "o," and they fathomed the orthodoxy of the hon. Gentleman. He had not that extraordinary estimation of the hon. Gentleman's intellectual capacity, and he did not perceive any of those sublime moral characteristics, which should command the world to accept the hon. Gentleman as the type of human and Christian excellence. He objected also to the manifestoes made by some persons out of doors. The Wesleyan Methodists, in that remarkable document which had been issued in consequence of the very remarkable transaction with the Government, declared that they were not content error should be taught; that they objected to the teaching of Roman Catholic children; and they finished up with a glorification that they hoped the time was coming when there should be full religious tolerance. Now, what was the meaning of these phrases put together? It was this: religious tolerance in their mouths meant "my religion," and "I hope to see the time when no religion but mine will be taught." It meant that they were of that religion which represented and contained everything that was good and salvatory. He was not of that opinion; and, what was more, he could have no great faith in the intellectual eminence of that body if they had been taken in by the proposition of the noble Lord. But mark—let all the world mark—he mentioned this on purpose, and with the intention that that mask which he had put on on this occasion should be stripped off; they entertained a doubt about the Minutes—they entertained a dread of the Minutes, because they supposed there was to be an extension of the good things of this world, in the shape of a vote of that House, to the Roman Catholics; and they applied to the noble Lord. And, after sundry applications and well-conducted negotiations, they were partially satisfied—that the Roman Catholics were to be excluded. The whole of their satisfaction arose from that source. Their satisfaction was in proportion to their certainty that the Roman Catholics would be excluded from a participation in those favours which would be granted by a vote of that House. He was afraid that the satisfaction must be vastly diminished by the proceedings of the last few days. The noble Lord himself (Lord J. Russell) had got up and said, "I don't promise they shall be for a very long time."—"It is true, that so far as this 100,000*l.* is concerned, they may be;" but this was in the potential mood—there was none of the positiveness of the future, or of the imperative—let it be, or it shall be. It might be to the extent of 100,000*l.*, but the assurance was not extended even so far as the next vote. And the right hon. Baronet the Member for Tamworth had thoroughly done away with this proposition. John chalks as high as he can; Tom chalks a little way more; John chalks a little further; and then Robert chalks highest. Therefore, the satisfaction of those who rested their approval of the Minutes upon the probable exclusion of the Roman Catholics, would be very much diminished by seeing the last chalk. The real meaning of the thing had been exposed; and that House, representing the good feeling and good sense of the country, had destroyed the hallucination. It would be totally impossible under any Administration—he didn't care whether of the noble Lord or of the right hon. Baronet, or, to go to a more wild and wondrous supposition, of the noble Lord the Member for Lynn—to do that which was necessary to satisfy the Wesleyans. He would go one step further. Even if the right hon. Baronet near whom he sat (Sir R. H. Inglis), and for whom, on all occasions, he was glad to express respect—if that hon. Baronet, with all his sturdy and constant and conscientious consistency, were to be Prime Minister to-morrow, he would be so pressed that, like a right hon. Baronet before him, he would have to defy all the warnings of Oxford, and, accepting a compromise, have to seek refuge in a rotten borough. The hon. Baronet the Member for the Tower Hamlets might consider his Motion as really carried. The noble Lord's language was, "I will proceed step by step, as the people of England will permit me." Let him say it once for all—for he would never repeat it—he had the greatest possible respect for the noble Lord's character; but on this subject the noble Lord's conscience was elastic. It was like a ball—it followed the pressure from without. At present the pressure from without was great; as that receded, the noble Lord's conscience would extend and expand. The noble Lord said, "I can't include Catholics and Protestants at present. The pressure is very great now, but the steam is getting up. I have a large area before me, and the Catholics before long shall have my cordial embrace. They are within my mind already." The hon. Gentleman who had just sat down, hoped the Catholics would be included. Did he mean that was the impression intended to be conveyed in the communications recently made to the Wesleyans? ["Hear, hear!" *and a laugh.*] Why, no such thing. The year 1848 was left to them in the darkness of the future; it was cut off from their knowledge. They were left in the belief that all futurity was to be like '47, happy in their intolerance, and in their belief that the Catholics would be excluded from sharing in the Government money. But was not that House certain of what was coming; and must not the Wesleyans be certain of it too, after what had passed in that House? There would be a large majority in favour of the Government grant of 100,000*l.*; they would all go to their constituents, and some of them would return to that House again. When, then, some of them came back, he did not say "some of us," hon. Members would take comfort from the seven years before them, and knowing how, under the railway system, kindly feelings travelled, they would find that, both out of doors and in doors, people would be in favour of receiving all classes into a system of national education. 1848, he would pledge his faith to it, would see the Catholics included in the vote of that House. But if that were certain to happen, what must they think of that class of men who could enter into negotiation with gentlemen whom the House could shadow forth without collars and with white neckerchiefs, and who could persuade them that they had attained the object these latter had in view—in establishing a system of downright Protestant intolerance? That hope must even now be at an end; and of the two alternatives before the Government, that which they had this year adopted of teaching, all the various sects in different schools according to their separate dogmata, would be done away with, and they would arrive at an education which would include all sects. The Wesleyan Methodists complained that the Government were going to apply their funds to teach error, and they were going to raise up a feeling of intolerance on that account. He would say to them that he was not going to take their money to propagate error, but to rescue the people from a savage state of ignorance. He would take their money as a mere matter of policy. He would not put it on a higher ground, until the people had raised their intellect to some higher point; and as the Government raised money for the police, for the justiciary, and for the Army and Navy, so he would take other funds to maintain schools and schoolmasters, with the view of rendering the people secure and the nation happy. The time would come when the people would go before that House in the race, and lead them in the task of informing mankind; when they would cast off the slough of prejudice and bigotry, and in the exercise of justice, faith, and generosity, would compel them to adopt a good measure of public education. Such a measure would not come by that state of agony and battle by which the Government proposed to give it, when they declared themselves sectarian at the commencement; but by avowing their thorough and conscientious conviction of the claim that every man had to the complete and impartial protection of the State. He was sorry to say that the liberality of the noble Lord was not the liberality which led, but the liberality which followed and was forced. He was only liberal when others were more liberal; he was only right when others were more right; he was wrong when they said nothing. He wished the noble Lord to be the leader; he wished him to point out that his Government now without fusion wished well to all, and would avail themselves of the means at their disposal to advance the happiness of all. Could he doubt as to the vote he should give on this occasion? Not at all. He believed that, as they advanced day by day into that civilization which they all saw before them, that step by step every Government would daily and hourly fall into that track which he had described of perfect tolerance, the total absence of sectarian feeling, an utter carelessness of each particular hatred as manifested by one sect towards another.

Lord J. RUSSELL said: I regret to have again to trouble the House on this question; and had hoped that the statements I had offered with regard to it would have prevented many observations that have been made to-night, both by the hon. Baronet the Member for Marylebone (Sir B. Hall) and the hon. and learned Gentleman who has just sat down. I did conceive I had shown clearly from an authentic document what was the statement made by the Secretary of the Committee of the Council, in the name of Lord Lansdowne, to the Wesleyan body. But the hon. and learned Gentleman has completely lost sight of the whole of that statement, and has raised up an edifice entirely of his own imagination. He has supposed that the Wesleyans came to us, asking that the Roman Catholics should be always excluded, and that we thought there might come a time when they might be admitted, but still left the Wesleyans under the belief that they would not be so admitted; and, likewise, that the Government, as far as I represent it, has an elastic conscience in these things, and that though we might feel great repugnance to admit the Catholics this year, we should have no repugnance in subsequent years, if we found that others had no conscientious objections to it. Now, I can show that I have no conscientious objections to the admission of Roman Catholics to the benefit of an education supported by the State, because, in 1839, I had agreed to put forth, and had laid before Parliament, Minutes, in which the education of Roman Catholics from their own version of the Scriptures was established. That I could pretend, therefore, after that, to have conscientious objections to the admission of Roman Catholics, is quite impossible. I never pretended then, or at any time since, that I could object to the education of Roman Catholics, or the establishment of Catholic schools, as a matter of conscience. The charge the hon. and learned Gentleman prefers, is all a creature of his imagination. The whole ground on which I ever placed the question was this: I said in 1839 what I have said since, that I saw a very strong feeling in the public contrary to my own opinion on the subject, and I did not like to shake or disturb that public feeling; I thought it more advisable to wait till it became more in favour of the opinion I hold; and I said I never doubted opinion would so come round, and when it should be in my favour, I was ready to propose the establishment of Roman Catholic schools. With regard to what happened the other day with the Wesleyan and other bodies, and any statement made to them, it is stated in a sentence I read last night from the reply of the Government—

> "Further Minutes, when presented, will make a separate provision for Roman Catholic schools, and will in no degree unsettle the basis on which aid is now granted to other schools. Full opportunity will be given for the consideration and discussion of such Minutes before Parliament is called upon to carry them into execution."

How the hon. and learned Gentleman can say that the Wesleyans were deceived into the belief that there was no intention entertained of establishing Roman Catholic schools, almost passes my comprehension. I cannot conceive how the hon. and learned Gentleman could, with these facts before his eyes, have made several other statements of the same kind, as he has done to-night. The hon. Baronet the Member for Marylebone has stated that I refused to see certain Roman Catholic bishops and deputations of Protestant Dissenters. I only remember one Roman Catholic bishop who desired to see me before any Minutes were framed as to the admission of Roman Catholics to the schools. I said nothing should be done without my seeing that Roman Catholic prelate, and that I was ready to see him before I framed them. That was not refusing to see a Roman Catholic bishop! With regard to Protestant Dissenters, I saw two deputations from Leeds, and other deputations also, all reiterating the same objections. I was happy to converse with them: they included many gentlemen with whom I had acted on various occasions; but, having seen a considerable number of deputations, and as they took up time which was required for other public business I was obliged to attend to, I said I must decline seeing any more. If the hon. Baronet had any particular charges to make against me, he might have informed me what the particular facts were, and then I could have answered him. But the Motion of my hon. Friend (Sir W. Clay) is the immediate question before the House, although upon it a very small part of the debate has turned. I think, if the greater part of the debate had turned upon it, we should not have had so many hon. Gentlemen declaring themselves ready to vote for that Motion. Be it observed, the principle upon which we have gone is that of giving support to different societies and schools in aid of voluntary contributions. We began in the year 1833 by giving aid to the National Society and the British and Foreign Society. Those general provisions lasted a great number of years without alteration; but they shut out a considerable portion of the inhabitants of this country. I believe the right hon. Baronet was quite right when he said they excluded the Wesleyans. I thought they would have been willing to receive grants through the British and Foreign Society; but by the constitution of their body they could not do so, and they were excluded as well as the Roman Catholics and other persuasions. This was the state of things at that time; of late years we have said—and we have never gone any further in any Minutes of the Privy Council—that we would listen to special cases; we would listen to other applications, and those cases should be considered special. But still we must consider that the great mass of applications will come from bodies connected with one of those two societies, and from those which have made large subscriptions of their own. How did the hon. Baronet meet those difficulties? By proposing—

> "That it is expedient, that in any plan for promoting the education of the people by pecuniary assistance from the State, provision should be made that, in schools receiving such assistance, the opportunity of participating in all instruction, other than religious, should be afforded to children whose parents may object to the religious doctrines taught in such schools."

Of course, that would put an end to any schools in connexion with the National Society receiving any aid. They would say, it is impossible to assent to a rule contrary to the fundamental principles of the society. But let us look at the British and Foreign schools, the society to which I have for many years belonged, and which I consider the best foundation for bringing together a great number of children of all classes in this country. That society lays down as its first rule that the Bible shall be used in all its schools. My friend Mr. W. Allen, member of the Society of Friends, used to call them the "schools for all," all who admitted the authority of the Bible being capable of entering them; but the demand made by the hon. Baronet the Member for the Tower Hamlets is, that the parents of children shall be at liberty to declare that they shall not receive any part of the religious instruction, but that they shall receive the secular instruction alone, religious teaching not being imparted to them in any way. I doubt whether the British and Foreign Society could receive any grant on terms contrary to an old rule of the society. Therefore, with regard to the two main societies to which we propose to give assistance, they will be prevented by the resolution from receiving the aid we offer; and it is obvious that the effect of such a resolution as this will be to defeat the whole intent and grounds on which the grant of 100,000*l*. is proposed. Previously an objection was made, before this measure was proposed, that certain schools were established and supported by the societies to which they belonged out of their own means; that those societies did not come to the Privy Council to seek assistance, but building schoolhouses less capacious than they might be if aided by this grant, and with less able schoolmasters, they still went on without the assistance of the State. Now, as the measure which we propose is not one which is intended to be a State model of education, or a general plan of our own, the object which we have in view would be defeated by the Amendment. If this rule were adopted, neither the National School Society nor the British and Foreign School

Society would agree to it, and the efficacy of the measure would be destroyed. In the British and Foreign Schools, where a great number of the children of Dissenters might attend, it is not insisted that the Church catechism shall be taught to those children, as we conceived it more generous and charitable that they should not be taught that catechism. There is, for instance, a portion of that catechism in which the child, or the person to whom it is taught, mentions his godfather and godmother; and it is well known that many classes of Dissenters are of opinion that no godfather or godmother is necessary. I think, with regard to the British and Foreign schools, if the Roman Catholics object to the reading of the Bible in them, it would, to that extent, be an objection; but I do not believe that they would be a general rule or a fundamental rule of objection. I, therefore, hope my Friend the Member for the Tower Hamlets will withdraw his Motion; for, if he succeeds in it, he will at once dispose of the distribution of the 100,000*l*. as far as rendering assistance to these two societies.

Captain HARRIS said, that even if the Amendment of the hon. Baronet (Sir W. Clay) were adopted, he did not think that those who had induced him to bring it forward would accept the assistance he proposed to give them; for he believed their dread of the Established Church was such, that they would not send their children to a school in connexion with that Church. He considered that one great benefit resulting from the discussion of this question had been, that it had exposed that system of organization and of bitter hostility and bigotry against the Church which existed among the body of Dissenters bearing the name of "Independents." They did not represent those Nonconformists of the seventeenth century, for whom our sympathies were enlisted as the sturdy champions of liberty; but rather the bitter Puritans, who waged war against the Church and Monarchy: from these he must except the Dissenters of the district which he represented, who, in an interview he had had with them, had expressed their objections fairly and moderately. He would take that opportunity of pressing on the Government the adoption of a plan of apprenticeship for the workhouse boys, under the management of the inspectors appointed by this measure.

Mr. P. H. HOWARD merely rose to speak on a question of fact, to which the hon. Baronet had alluded. The hon. Baronet had alluded to an interview which had been proposed between the Roman Catholic bishops and the noble Lord. The truth was, the Catholic bishops were anxious to see the noble Lord before the 19th, when he unfolded his plans, and opened the scheme of education as proposed by the Government. He had heard that deputations from other religious bodies had been received by the noble Lord; and the Roman Catholic bishops were anxious, before the 19th, to receive, which they thought they had a right to do, a similar audience. On Thursday or Friday, last week, they wrote to the noble Lord to request an interview with him before Monday, for after that time it would be too late to remedy any evils which might arise. With respect to the reports which prevailed on the subject, he would not then enter into them, or consider whether any classes were to be excluded. It had been stated, however, that this exclusion of the Catholics from the benefit of the grant, had been a question between the Government and the Wesleyans. The Roman Catholic prelates, therefore, had written to the noble Lord for an interview, to which they received the following reply, by which the House would see that the noble Lord declined an interview before the 19th:—

> "Lord John Russell presents his compliments to Bishop Griffiths, and will name a day for receiving the Catholic bishops before the introduction of any measure relative to the education of poor Catholics."

Thus, then, the interview was asked before the 19th, when it was stated they were to be excluded; but the noble Lord refused. The note proceeded to say—

> "Her Majesty's Ministers have no intention, however, of proposing a Minute of Council on the subject at present."

Consequently the interview was postponed for an indefinite period. He was not going to say anything with respect to the interview with that highly respectable person, Mr. Jabez Bunting. He would not say a word otherwise than of respect of that gentleman; but he maintained that the Catholic hierarchy of England—the hierarchy of that religion which was in power in this country when its liberties were founded—had some claim to the courtesy of an interview with the noble Lord as First Minister of the Crown before the 19th instant, when it was understood the members of the religion they professed were to be excluded from the benefit of the grant. He thought that he had made out a satisfactory case, and had decidedly shown that an interview was declined when they believed that the interests of those whom they represented would be affected. He did not agree with the hon. Member for Somersetshire in his censure of the liberal observations of the right hon. Member for Tamworth. He thought that the language that right hon. Gentleman used with respect to the state of the education of the poor Catholic population of Manchester, did him the highest honour. He trusted that Her Majesty's Ministers would not disdain to be guided by these sentiments. He was quite sure, if they did not do so, they would not legislate for the poor man in that confiding spirit by which they would best consult the interests of the country. With respect to the Amendment before the House on the subject of this measure, he should vote with the hon. Gentleman the Member for the Tower Hamlets, as he thought that all should, in as nearly equal proportion as possible, share in such a grant as that now proposed. There should be impartial justice, and for the sake of the constituency which he represented, as well as for that of the community at large, he wished justice should be done to the minority, instead of nearly all being conceded to the majority. By doing this, he believed the best interests of the country would be promoted. He therefore gave the Amendment his cordial support.

Mr. T. D. ACLAND, in explanation, denied that he was open to the charge brought against him by the hon. Member. If the Minutes of Council had been altered to admit the Wesleyans, the Catholics should not be excluded by it.

The House divided on the Question that the words proposed to be left out stand part of the Question—Ayes 210; Noes 74: Majority 136.

List of the Ayes.

Ackers, J.
Acland, Sir T. D.
Acland, T. D.
Adderley, C. B.
Anson, hon. Col.
Antrobus, E.
Archdall, Capt. M.
Bailey, J. jun.
Baillie, Col.
Barclay, D.
Barkly, H.
Baring, rt. hon. F. T.
Baring, T.
Beckett, W.
Bell, M.
Bell, J.
Bellew, R. M.
Bennet, P.
Bentinck, Lord G.
Berkeley, hon. Capt.
Blackburne, J. I.
Blackstone, W. S.
Borthwick, P.
Botfield, B.
Broadley, H.
Buck, L. W.
Buller, C.
Buller, E.
Buller, Sir J. Y.
Byng, rt. hon. G. S.
Cavendish, hn. C. C.
Cavendish, hon. G. H.
Cayley, E. S.
Chelsea, Visct.
Chichester, Lord J. L.
Christie, W. D.
Christopher, R. A.
Chute, W. L. W.
Clerk, rt. hn. Sir G.
Clive, Visct.
Colville, C. R.
Coote, Sir C. H.
Copeland, Ald.
Corry, rt. hon. H.
Courtenay, Lord
Cowper, hon. W. F.
Craig, W. G.
Cripps, W.
Dalrymple, Capt.
Davies, D. A. S.
Denison, W. J.
Denison, J. E.
Denison, E. B.
Dickinson, F. H.
Dodd, G.
Douglas, J. D. S.
Duckworth, Sir J. T. B.
Duncombe, hon. O.
Dundas, Adm.
Dundas, Sir D.
Du Pre, C. G.
East, Sir J. B.
Ebrington, Visct.
Egerton, Sir P.
Emlyn, Visct.
Entwisle, W.
Fielden, J.
Ferguson, Sir R. A.
Filmer, Sir E.
Finch, G.
Floyer, J.
Forbes, W.
Fox, S. L.
Frewen, C. A.
Gibson, rt. hon. T. M.
Gill, T.
Gladstone, Capt.
Gordon, hon. Adm.
Gore, M.
Gore, hon. R.
Graham, rt. hon. Sir J.
Granby, Marq. of
Greene, T.
Grey, rt. hon. Sir G.
Grimsditch, T.
Guest, Sir J.
Hale, R. B.
Hallyburton, Lord J. F.
Halsey, T. P.
Hamilton, W. J.
Hamilton, Lord C.
Hanmer, Sir J.
Harcourt, G. G.
Harris, hon. Capt.
Hawes, B.
Heathcote, Sir W.
Heneage, G. H. W.
Heneage, E.
Henley, J. W.
Herbert, rt. hon. S.
Hill, Lord E.
Hobhouse, rt. hn. Sir J.
Hope, Sir J.
Hope, A.
Hope, G. W.
Hotham, Lord
Howard, hon. C. W. G.
Howard, hon. J. K.
Howard, hon. E. G. G.
Hudson, G.
Hurst, R. H.
Ingestre, Visct.
Inglis, Sir R. H.
James, W.
James, Sir W. C.
Jervis, Sir J.
Jolliffe, Sir W. G. H.
Jones, Capt.
Labouchere, rt. hn. H.
Lambton, H.
Law, hon. C. E.
Layard, Maj.
Legh, G. C.
Lemon, Sir C.
Lincoln, Earl of
Lindsay, Col.
Loch, J.
Macaulay, rt. hon. T. B.
Mackenzie, W. F.
M'Neill, D.
Mahon, Visct.
Mainwaring, T.
Maitland, T.
Manners, Lord J.
March, Earl of
Maule, rt. hon. F.
Meynell, Capt.
Miles, P. W. S.
Miles, W.
Monahan, J. H.
Morgan, O.
Morpeth, Visct.
Mostyn, hon. E. M. L.
Mundy, E. M.
Mure, Colonel
Newdegate, C. N.
Newport, Visct.
Newry, Visct.
Nicholl, right hon. J.
Norreys, Lord
Northland, Visct.
O'Brien, A. S.
O'Conor Don
Ogle, S. C. H.
Ord, W.
Ossulston, Lord
Oswald, A.
Owen, Sir J.
Packe, C. W.
Pakington, Sir J.
Palmerston, Visct.
Parker, J.
Patten, J. W.
Philips, Sir R. B. P.
Plumptre, J. P.
Plumridge, Capt.
Polhill, F.
Ponsonby, hn. C. F. A. C.
Powlett, Lord W.
Protheroe, E. D.
Pusey, P.
Rashleigh, W.

Repton, G. W. J.
Rich, H.
Richards, R.
Romilly, J.
Round, C. G.
Round, J.
Rumbold, C. E.
Russell, Lord J.
Russell, Lord C. J. F.
Russell, C.
Rutherfurd, A.
Scott, hon. F.
Seymer, H. K.
Sheridan, R. B.
Smith, J. A.
Somerville, Sir W. M.
Stanton, W. H.
Staunton, Sir G. T.
Stuart, Lord J.
Stuart, H.
Strutt, rt. hon. E.
Talbot, C. R. M.
Tancred, H. W.
Tollemache, hon. F. J.
Tollemache, J.
Trevor, hon. G. R.
Trollope, Sir J.
Vane, Lord H.
Verner, Sir W.
Villiers, Visct.
Vivian, J. H.
Waddington, H. S.
Ward, H. G.
Wilshere, W.
Wodehouse, E.
Wood, rt. hon. Sir G.
Wood, Col. T.
Worcester, Marq. of

TELLERS.
Tufnell, H.
Hill, Lord M.

List of the NOES.

Aglionby, H. A.
Armstrong, Sir A.
Baine, W.
Barnard, E. G.
Berkeley, hon. C.
Berkeley, hon. H. F.
Bouverie, hon. E. P.
Bowring, Dr.
Bright, J.
Brocklehurst, J.
Brotherton, J.
Brown, W.
Brown, R. D.
Callaghan, D.
Chapman, B.
Collett, J.
Crawford, W. S.
Currie, R.
Dashwood, G. H.
Dennistoun, J.
D'Eyncourt, rt. hn. C. T.
Duke, Sir J.
Duncan, G.
Duncombe, T.
Dundas, F.
Ellis, W.
Escott, B.
Evans, W.
Ewart, W.
Fitzroy, hon. H.
Fitzwilliam, hon. G.
Gisborne, T.
Granger, T. C.
Hall, Sir B.
Hastie, A.
Hay, Sir A. L.
Heathcoat, J.
Heron, Sir R.
Hindley, C.
Hollond, R.
Howard, P. H.
Hume, J.
Langston, J. H.
M'Carthy, A.
Marjoribanks, S.
Marsland, H.
Matheson, J.
Mitchell, T. A.
Moffatt, G.
Morris, D.
Muntz, G. F.
Napier, Sir C.
O'Connell, M. J.
Osborne, R.
Pattison, J.
Pechell, Capt.
Perfect, R.
Pulsford, R.
Roebuck, J. A.
Scrope, G. P.
Stanley, hon. W. O.
Stansfield, W. R. C.
Strickland, Sir G.
Thornely, T.
Trelawny, J. S.
Villiers, hon. C.
Vivian, J. H.
Wakley, T.
Walker, R.
Warburton, H.
Wawn, J. T.
Williams, W.
Yorke, H. R.

TELLERS.
Clay, Sir W.
Duncan, Visct.

House in Committee, and a sum of 100,000*l.* was voted for the purposes of Education, under the direction of the Committee of Privy Council.

The House resumed. Resolution to be reported.

House adjourned at One o'clock.

HOUSE OF LORDS,

Monday, April 26, 1847.

MINUTES.] *Sat first.*—The Earl of Yarborough, after the Death of his Father.

PUBLIC BILLS.—1ª Bankruptcy Law Amendment.

2ª Army Service.

Reported.—Customs Duties.

3ª and passed:—Vexatious Actions, Protection against.

PETITIONS PRESENTED. From Guardians of the Woodbridge Union, in favour of the Rating of Tenements.—From Wrentham, in favour of the proposed Government Plan of Education; and from Dissenters of Glossop and several other places, against the same.—From Wexford, against affording Out-door Relief to the Destitute Poor of Ireland.—From Cappermore, against the Poor Relief (Ireland) Bill.—From Shepton Mallet and several other places, for the Repeal of the present Law of Settlement, and for a National Rate for the Relief of the Poor.—By Lord Brougham, from Donagh, for the Adoption of a Measure to secure to the Improving Tenant in Ireland a Sufficient Permanency of Tenure.

THE ARMY SERVICE BILL.

The Order of the Day for the Second Reading having been read,

EARL GREY said, that their Lordships might remember that, before this Bill was brought up from the other House, a noble Lord whom he did not then see in his place (the Marquess of Londonderry) had stated to their Lordships some reasons why their Lordships should refuse their consent to such a measure as this; and the noble Lord had also stated the objections he entertained to the principle of enlistment in Her Majesty's Army for a limited instead of an unlimited period. He (Earl Grey) had, on that occasion, felt it to be his duty to protest against what appeared to him to be a premature discussion of a Bill not then before their Lordships' House; but in doing so he had stated that, when the Bill came up, he should give the reasons which had induced Her Majesty's Government to adopt this measure, and answer, as well as he could, the arguments of the noble Lord. In redemption of that pledge, it was now his duty to state the views on which the Bill had been founded. In the first place, he must observe that this ought not to be considered as a single or isolated measure. Their Lordships would entirely fail to form a correct judgment if they considered this Bill by itself, and apart from the measures for the benefit of the Army which had been adopted in former years, and which were now in contemplation, with which it was closely connected. This Bill, in fact, was only part of a course of policy and of a series of measures which for the last twenty or twenty-five years had been passed with the object of raising the character of the Army, and improving the condition of the soldier. The noble Marquess had spoken of this measure as if it had been preceded by no such measures, and had treated it as a piece of great presumption for Her Majesty's Government, who had not had that experience in military matters that proceeds from a great deal of active service in the field, to take up a subject of this kind. On this point, with all due deference to the noble Marquess, he must observe the Government for the time being had always means at its command for obtaining the best professional advice and assistance on this subject; and with that advice and assistance which Her Majesty's Government had enjoyed, like those who preceded them, they were perfectly capable of forming a sound and correct judgment upon the subject. He would further take the liberty of observing, that experience had proved that not any injury, but, on the contrary, very great gain had resulted to the Army from the circumstance that the regulation of its condition had not been resigned exclusively to those who were professionally connected with the Army, but had also occupied the attention of the servants of the Crown, and of Members of the Legislature who had not themselves served in its ranks. When the noble Marquess contended that because the Army had been victorious, it must necessarily be perfect, and that there ought not to be any interference with the present system, he (Earl Grey) assumed that the noble Marquess meant that there was no room for improvement, and no necessity for any change such as was contemplated to be effected by this measure. That he understood to be the drift of the argument of the noble Marquess. But here, again, he (Earl Grey) was compelled to differ from the noble Marquess. He conceived not only the room for improvement to be great, but that the improvement which had been going on in the Army under successive Administrations for many years ought not now to stop. When he said this, let it not for a moment be supposed that he was insensible to the merits of the British Army, or inclined to undervalue its achievements. On the contrary, he could assure their Lordships that there was no one who entertained a more enthusiastic admiration of the great achievements of the British Army than he did; but it was perfectly consistent with the highest appreciation of the merits of that Army to observe that by the derangements and deficiencies of the system those great achievements had been in some respects disfigured. It was from an anxious desire to remove as far as possible those deficiencies that he now advocated this measure; deficiencies which every real friend of the Army was more inclined to assist in removing, than to conceal or deny. To show the fallacy of the argument of the noble Marquess, that because the Army had been victorious, therefore the system was perfect, he might appeal to an illustrious authority, who was then among their Lordships. The noble Duke who sat on the cross-benches (the Duke of Wellington), in his despatches, which were at once the best and most authentic record of his great achievements, and therefore the most endurable monument of his fame—the noble Duke in those despatches had repeatedly described the difficulties with which he had to struggle in consequence of the defects of the Army he commanded; and he (Earl Grey) would say this, that their Lordships would not fully appreciate the great achievements of the noble Duke, and the great debt which the public owed to him, if they did not remember what those difficulties were; if they did not understand that the noble Duke had to a great extent created the means by which those immortal victories were gained; and that, by the discipline and instruction which he himself had imparted to the officers and soldiers of the Army under his command, he, in the course of a few years, at the head of that Army, rolled back the tide of conquest that had spread over a great portion of Europe, and ended by the victory achieved on the plains of Waterloo, that memorable contest which he commenced on the shores of the Atlantic. These despatches were the best evidence of the serious defects of the system existing in the Army at that day, notwithstanding the noble Duke by means of that Army was so eminently successful. At the same time their Lordships would recollect that these defects in our military system were much more observable in a time of peace than in a time of war. When called upon to fight, the inherent courage and determined spirit of the British soldier, more especially when that spirit was encouraged by high military talent, such as that possessed by the noble Duke, insured distinction in the field. But during the war their Lordships would recollect that it was principally during the intervals of active operation, and occasionally when called upon to retreat, as the most successful armies were sometimes required to do—and to be able to do that well was no less an essential proof of a gallant army than to achieve success—it was upon those occasions that the noble Duke had most to complain of the deficiency of the army which he commanded. But in a time of peace, those defects were still more perceptible. He would not go into the ungracious topic of pointing out in detail what were the faults of our military system during the earlier period of the peace, and before those faults had attracted, as they afterwards did, the attention of the military authorities and the Government of the day, and of the public. Instead of doing this, he considered it better to point out to their Lordships what were the improvements which since that time had been introduced —but so gradually introduced, from time to time, by successive Administrations, that he believed their Lordships were hardly aware of the extent of the change in our military system. Having pointed out those improvements, he would then endeavour to show their Lordships that the measure which they were now asked to read a second time, was strictly in conformity with the measures already adopted, and formed a step—and he (Earl Grey) believed a most important step—in that progress of improvement so long going on; and that it was, therefore, a measure which their Lordships would do well to sanction. The first fault of our military system which had most strongly attracted public attention, was the extent to which corporal punishment prevailed. It was in the recollection of many of their Lordships that the lash was, unfortunately, the main instrument of maintaining discipline in the Army. Offences, great and small, were punished by it; and for the more serious description of offences it was inflicted with a degree of unsparing severity, from which, in the present day, we should recoil with horror. As an instance, he would relate to their Lordships what occurred so lately as the year 1825. In that year a general court-martial sentenced a man to receive no less a punishment than 1,900 lashes; of that sentence no fewer than 1,200 lashes were actually inflicted. This subject long occupied the attention of the other House of Parliament; many debates took place upon it; but it was long before any material alteration was made in the system. It was true that, in the year 1815, and only in the year 1815, it was made illegal to bring out a second time to receive the remainder of the punishment a man who had been sentenced to receive a greater number of lashes than human nature could at once endure. In former times it had been the practice to bring out an unfortunate man who had received a portion of his punishment to undergo the remainder. In 1815 this was made illegal. It was a considerable time before any further change took place. It was not until 1832 that the number of lashes which could be inflicted by the sentence of a regimental court-martial was reduced from 300 to 200; and by a district court-martial from 500 to 300. But even then there was no limit to the number of lashes that might be awarded by a general court-martial. On the 24th of November, 1833, a general order was issued by Lord Hill, which restricted the infliction of corporal punishment to a small number of serious offences only, it formerly having been the practice to punish minor offences by the lash. By the Mutiny Act of 1836, which he (Earl Grey) had the honour to lay before the House of Commons, the number of lashes that could be inflicted was still further reduced. By that Act, for the first time, a limit was introduced upon the power of general courts-martial, which after that had no longer the power of awarding a greater number of lashes than 200; and the powers of the district and regimental courts-martial were also limited to the extent of 150 and 120. To complete the series of changes in this respect, last August a general order was issued by the noble Duke upon the cross-bench (the Duke of Wellington), by which the number of lashes to be given, under any circumstances and for any offence, was, as he (Earl Grey) thought, most properly, reduced to fifty. Observe the gradual nature of the change with respect to a mitigation of the law within this short period. In the course of twenty-one years from the infliction of 1,200 lashes as part of a sentence of 1,900, they had come down to a state of things when the infliction of fifty lashes was the maximum of punishment for any offence. He should be able by-and-by to show that the practical administration of the law had diminished its severity no less than the law itself. But connected with this subject of corporal punishment, he thought it very important here to remark another change, which, in the course of a few years, had been adopted for the benefit of the military service. When corporal punishment began first to be abated for small offences, imprisonment was substituted, and military offenders were sent to the ordinary prisons of the country. There they necessarily mixed with offenders of every description of character, and, in many instances, the alternative of imprisonment for flogging was attended with the worst results. In the course of the last few years, however, arrangements had been made for the erection of military prisons, and also for the formation of cells for solitary confinement in the barracks. This had been attended with the happiest effects. But this was one side only of the question which he had to deal with. He had pointed out to their Lordships the improvements in the penal branch of the system, and what had been the changes made in the modes of punishment, by which it was endeavoured to advance the discipline of the service. He had, however, on the other side, to point out those changes and measures which had been adopted in order to render punishment unnecessary; namely, changes by means of which the condition and comforts of the soldier might be improved. This was a most important part of the subject, and one which had received a great deal of consideration from him. On looking back to a comparatively recent period, it was extraordinary to see how much, in most essential points, the comfort of the soldier had been promoted. One of the most remarkable of these particulars was the state of the barracks. The barrack accommodation, more particularly in the tropical climates, was most inadequate. The situations were in many cases badly chosen, the barracks badly constructed, and, besides, the space allowed for the soldiers was altogether insufficient for the health of the men. He found that the ordinary rule in constructing barracks in the tropical climates was to leave somewhere about 300 cubical feet for each soldier; but it had been discovered that for the healthy accommodation of the men, at least double that space was necessary, and that instead of 300 cubical feet for each man, at least 600 cubical feet should be allowed. A great improvement had taken place in this respect. The Board of Ordnance had taken very great pains gradually to improve the barracks of the soldier; but he was sorry to say that the improvement was still far from having attained the point that was desirable, and that the accommodation was yet very far from what it ought to be. In the improvements which had been made, a point was not lost sight of, which he thought very important—namely, providing in the barracks places for the recreation of the troops; and also another matter which he considered most useful—the making arrangements for the formation of libraries for the men. There was another matter, if possible, still more closely connected with the health of the troops in the colonial service; and he should remind their Lordships on this point, that it was the severe pressure of that branch of the service which had alwas rendered enlistment in the Army unpopular in this country; and, therefore, to render the colonial service more popular was a matter of the greatest importance. In respect to the supply of provisions in the colonies, a very great improvement indeed had taken place. Their Lordships were hardly aware, perhaps, that so late as the year 1836 it was the practice to allow the troops only two days fresh provisions in the week; and even that allowance was a considerable improvement on earlier times. In 1836, when he (Earl Grey) held the post of Secretary at War, his attention was called to the fact that the soldiers in tropical climates had five days salt provisions in the week; and measures were at once taken to make an effectual improvement in that particular, and but a very small quantity of salt provisions was now given to them in those stations. He would state by-and-by the actual effect of those measures on the health of the troops; but he wished, in the first instance, to refer to some other improvements that had been adopted within the last few years. He should beg to remind their Lordships that until a very recent period indeed there was no distinction whatever between the good soldier and the bad soldier. The only difference between them was, that the good soldier escaped imprisonment, extra drill, and the lash; and he possessed, no doubt, also the good will and respect of his fellow-soldiers and his officers; but in other respects the good and bad soldier were entirely on a level. After fourteen years' service the good soldier and the bad were each entitled to an increase of 2*d.* a day in their pay; and at the end of twenty-one years, if they were disabled or unfit for further service, they were equally entitled to receive their discharge, and received the same pension. In point of fact, the advantage, in this respect, was with the bad soldier; because a man who was in the constant habit of intoxication, provided he did not actually incapacitate himself for duty, though in other respects worn out by dissipation, being found unfit for service, was discharged with a pension; while the good man — the sober man, who had resisted temptation, and taken care of his health, and was always efficient to do his duty, from that very circumstance, and because he had been a good soldier to the end of the twenty-one years, was refused a pension, and compelled to continue in the service. In 1836 a change was introduced in this respect. An increase of pay was made no longer to depend upon length of service; it was made to depend on good conduct; and by the system then introduced, improved as it had been by a subsequent warrant, issued when Mr. Sidney Herbert was Secretary at War, and dated December, 1845, great encouragement was given to the good soldier. A man who behaved well got an additional penny a day for every five years he remained in the service; so that at the end of twenty-five years the good soldier had an increase nearly equal to half his pay; and he was, besides, enabled to carry this addition of pay to his pension. Another measure of great importance in encouraging good conduct in the Army, had also been adopted. Their Lordships were aware that the great cause of crime in the Army was the disposition of the soldier to spend his spare money in drinking. Within the last few years, however, a regulation was adopted, which, he believed, tended very powerfully to discourage the men from spending their spare money in this manner, namely, the establishing of regimental savings banks. By this means, the soldier might be enabled to accumulate his small savings, and receive interest upon them upon very advantageous terms, before he retired from the service. Much had been also done for the instruction of the soldier. Regimental schools for children and recruits had been some time established, and was a measure of great importance; but this provision had been extended within the last few years, and means now existed for giving instruction to the men themselves. This was a matter of considerable importance, because the future welfare of the discharged soldier greatly depended upon the instruction he might have received during the time he had been in the Army. It was found that pensioners who had received instruction, obtained situations of considerable value; for the very fact of his having a pension that could be taken from him, cast a responsibility upon a military pensioner, which made him useful in various situations, such as that of policeman on a railroad; an old soldier, from the habit of discipline which he had acquired, was found the very best man for such purposes, provided he had received the required amount of instruction. He believed that by these and other measures of improvement, much would be done to make the military career much more desirable for the better classes of the labouring population than it was at present. Having stated the most important measures which had been adopted within the last few years for the improvement of the soldier, he would now call the attention of their Lordships to the practical effects which those measures he had described had already been attended with. There were two tests which he thought might well be applied, in showing what the improved state of the Army was. First, the amount of punishment that had been inflicted, and next the mortality which had taken place in the Army in stated periods. In both these respects, the improvement was something which he should say was extremely remarkable. With regard to punishment in the Army, he was sorry to have to state that the returns were very imperfect in the older dates, so as to render it impossible to institute a comparison such as was desirable. From facts which came to his knowledge, he knew that if such a comparison could be instituted, it would display an amount of improvement very remarkable indeed; but even from the materials that were before him it would appear that the improvement which had taken place was very great indeed. For the year 1818, a very short period after the war, he had a return of the number of soldiers received in the hospitals after having undergone corporal punishment, in a certain number of foreign stations. The returns were not complete, but they included a great many stations, the troops amounting in all of them to 28,900. Out of that number, there were of men sent to hospital after receiving corporal punishment no less than 2,273—in other words, 80 men were corporally punished for every 1,000 in the service. In the same stations the number of soldiers receiving corporal punishment last year was only 4 in every 1,000, instead of 80, showing a diminution to the extraordinary proportion of 1 to 20. He would not trouble their Lordships with the details; but he held in his hand returns of the corporal punishments in the Army from 1829 to 1836, and they came down in the proportion, for every 1,000 men, of 19, 16, 14, 11, 10, 9; and in 1836, the proportion was but six nine-tenths. From

1838, the progress downwards was continuous until in 1845 it was six seventenths; and in 1846, though the returns were not completed in consequence of the distance of some of the stations, still from the portions of the Army for which the returns had been received, the number receiving corporal punishment was not more than 4 in the 1,000. When he came to consider these returns, he expected that the great diminution in corporal punishment would be accounted for by other punishments having been substituted for it; and that an increase would be found in the returns of other punishments. Such, however, was not the case, as there was also a great diminution in the number of other punishments, more especially the more severe ones. In ten years, between 1826 and 1835, there were no fewer than 76 sentences of death actually passed on military offenders, and of these 41 were actually carried into execution, and 35 were transmuted into transportation. On looking to the period which occurred since, he found that, with the exception of a mutiny which occurred in a negro regiment in Trinidad, when a considerable number were sentenced to death, the diminution in the sentences for death was considerable, though the total strength of the Army was much increased. In 1839, there were only 3 sentences; in 1840, only 2; in the next 2 years only 1 in each year; and in 1845 only 2. The number of sentences for transportation was also considerably diminished; but without entering into details, he might say that for the two years 1844 and 1845 the sentences of transportation were 160 and 155 respectively, they having averaged 178 a few years before, when the Army was much less. Even the sentence of imprisonment was diminished. In 1838, when the Army numbered 96,800 men, the imprisonments were 7,900; and in 1845, when the number of men was 124,400, the number of imprisonments was very nearly the same, but rather less, being 7,857. He thought their Lordships must see in this statement of the diminution of punishments most satisfactory evidence of the improvement of discipline in the Army. But he would proceed to show, from the evidence of diminished mortality in the Army, even in the colonies, results no less remarkable. The mortality amongst our soldiers was, in former years, very great. He had a return which would show what the effects of the measures he had described had been upon their health; for all those measures had contributed to render the soldier more contented with his lot, and to make his condition generally better, so that they all contributed to reduce the mortality of the Army, and to produce a beneficial effect upon the health of the troops. In 1835, an inquiry was instituted into the health of troops, more especially in foreign stations; and it was most ably and satisfactorily conducted by the two gentlemen to whom the task was entrusted. From a comparison of the returns for the two last years, ending in March, 1846, with the twenty years from 1815 to 1835, some remarkable results might be arrived at. The colonies were arranged in groups, according as they were more or less healthy, and in all a very great improvement in the health of the troops was apparent. In the twenty years between 1815 and 1835, the mortality in the Mediterranean stations was 23 5–10ths a year for every 1,000; and in the two last years it was but 14 for every 1,000 men, showing a saving of human life to the extent of 9 5-10ths per 1,000 persons in the year. In the North American colonies, including the Bermudas and Newfoundland, the reduction was from 21 2-10ths in the former period, to 13 7-10ths per 1,000. In the Australian colonies, including St. Helena, the reduction was from 15 to 12 8-10ths. In respect to the Isle of St. Helena he would make one remark. Their Lordships were aware that during the imprisonment of the late Emperor Napoleon there, a considerable garrison had to be kept up there; and during the entire time, they never got any fresh provisions, except on Christmas days, and some few other remarkable festivities. The consequence was, that there was a very severe mortality amongst the private soldiers; while, at the same time, the officers, who were not so restricted, were to a most remarkable degree exempt from disease—in fact, he believed that only one natural death occurred among the officers during the entire six or seven years. In the tropical colonies, and above all in Jamaica, the improvement was most remarkable. It should be observed that he confined his statement exclusively to the white troops in these returns. In Jamaica, the deaths for the twenty years between 1815 and 1835, were no less than 128 6-10ths per 1,000 annually; but within the last two years, partly in consequence of arrangements having been made to keep the white troops on the higher grounds, except when they were actually wanted below, and by other arrangements, the mortality had been actually reduced from 128 6-10ths to 29 7-10ths per 1,000. Even this did not show the full extent of the improvement, because from accidental causes it was necessary to have a small detachment of white troops in an unhealthy quarter, from which they were, however, latterly withdrawn. He believed, in fact, that Jamaica would soon be actually as healthy as Van Diemen's Land. Taking all the tropical colonies, the mortality was decreased from 84 2-10ths, in 1825, to 42 1-10th, or precisely one-half. To put these facts in a more striking point of view, he would take the actual saving of human life within the last few years. Taking the average number of men employed in the colonies at 35,000, and comparing the deaths for the last two years with those for former periods, they had a saving of no less than 1,035 men, or a number equal to an entire battalion, which had formerly been annihilated by death in each year. From this statement he had excluded India. He was sorry to say that the improvement of the army in India, from causes which he was unable at present to state, had not been the same as in our other colonies; he trusted, however, that in future years it would keep pace with them. He had felt bound to enter into these details, to prove the fallacy of the argument that no improvement in the Army was required since our Army had fought well; he was bound to show the utter fallacy of that argument, by demonstrating the extent of the improvements actually made, and the good effects which had resulted from them; because the state of things which admitted of such improvements, must have been a state of disorder; whilst their results afforded an argument in favour of perseverance, and showed that the Bill before their Lordships was a necessary and proper measure. For what had been done he did not claim credit for any one Administration, because, during the war, it was impossible to give the requisite degree of attention to the details upon which improvements in the Army depended; but since the peace, constant inquiries had been going on, and the utmost attention had been exerted to ascertain what improvements were practicable; and the improvements he had described had been carried into effect. Much, however, was, in his opinion, still required to be done before admission to the Army would be regarded, as he thought it ought to be by the better class of the labouring population, as a boon and a privilege. He thought it was impossible not to conceive the condition of the soldier under these improvements, as an improvement on that of a large portion of the labouring classes. The soldier was certain by good conduct to obtain a very great increase of pay, amounting even in the earlier stages of the service to 7*s.* 7*d.* a week; while the average earning of the labourer was not more than 7*s.* or 8*s.* a week. The soldier had besides, lodging, bedding, fuel, and a portion of his clothing, gratis; and no matter what the price of provisions might be, he could never be charged more than 6*d.* a day for his support. He had also the prospect of promotion; and taking all these things together, and comparing this state with that of the labourer in Dorsetshire or Wiltshire, he could only account for the unpopularity of the service by the dislike the poorer classes naturally had to be separated from their relations for life, as unlimited service might be considered to be. The present Bill would take away the great ground of this dislike; and he trusted yet to see the day when the military authorities would be in a position to say that they would take no man into the service who could not bring a good character with him. When they could once effect that change, they would see how beneficially it would operate. But to effect so desirable an object, there was no improvement more desirable or more necessary than to show the soldier that by enlisting he was not binding himself for life, and that it would be possible for him to retire after a moderate period of service from the Army, and return to those early associations with friends and relations which were by many so much coveted. An argument which had been adduced by a noble Marquess opposite against the principle of the Bill the other night was, that if men were enlisted for only ten years, every man at the end of that time would go away. Now, he would show that the noble Lord had founded his argument entirely upon the state and condition of things in the Army during his early knowledge of it, and not upon what had occurred of late years. The noble Lord's whole argument against the Bill was founded upon the assumption that every man who was in the Army was anxious to leave it—that, in fact, every man in it would leave it as soon as possible. He (Earl Grey) would show that it was not so. But if it were so—if it were the fact that every man who could leave the Army would leave it, and would consider the option of leaving not a punishment, nor a loss, but a boon: if such were really the case, it would add tenfold strength to the argument for the Bill. It would show the necessity for such a measure, and that there was an absolute and immediate necessity for improvement in the condition of the Army. He would observe, in passing, that the indirect effect of such a measure on commanding officers would be highly beneficial. When they knew that, at the end of ten years, a soldier had the power, if he thought fit, to leave his regiment, he believed that they would study much more than they now did—and he was perfectly aware of the great care and attention generally bestowed by officers on that object—the comfort and welfare of the soldiers, and endeavour to make them happy in the ranks, and thus induce the best men to continue in the service. This was what he (Earl Grey) should call the principle of the Bill. Its principle was to introduce the regulation that, in future, the soldiers of the British Army should be enlisted not for life, but for a limited period of service; and, according to Parliamentary usage, that simple principle was all that their Lordships were called upon to discuss. If they should, adopting the principle, sanction the second reading of the Bill, they would have to consider in Committee the various details of the measure—whether, for instance, the period fixed for service was too short or too long. They would also have to consider whether the special circumstances under which the engagements might be prolonged, had been defined as well as they might be; and he might state that, on this point, it was his intention to propose an Amendment suggested by the noble Lord who was lately Governor General of India (the Earl of Ellenborough)—an Amendment for which he felt much indebted to him, as it cleared up an ambiguity which might arise as to the legal sense of certain words used, and by which actual war might be made the only term on which a soldier could be retained beyond ten years. He would, therefore, propose an Amendment on that subject; but at present it was better that they should confine themselves strictly to the principle of the Bill, viz., whether they would or would not limit the period of enlistment. Considering, then, that their Lordships were now to determine only the principle of the Bill, he should state to them some of the considerations on which it was founded. They were aware that he was expected on the present occasion to endeavour to show from experience what would be the effects of the measure; but he regretted to say that he was unable to do so satisfactorily. The only period for which the system of limited enlistment had been tried was so short—he referred to Mr. Windham's Act—and the circumstances of the country were then so peculiar and so very unlike those at the present day, that any attempt to argue from the analogy of that Act would be inconclusive. But, so far as he could judge, the experience of the working of that Act was on the whole rather in favour of the principle for which he contended, than otherwise. They must, in considering the measure, look chiefly to general considerations. They must endeavour to ascertain as well as they could, from what they knew of the condition of the Army, what would be the probable effect of the proposed measure. He had stated that, in his opinion, the most important consideration was that of endeavouring to render the service in the Army more popular; but there were other considerations too important to be passed by. In the first place, in the present state of public opinion, they could not look upon corporal punishment as being of any great use. He was afraid that it was premature as yet to part with the power, in special cases, of inflicting that punishment; but, at the same time, they all felt that its practical use must be diminished to the greatest possible extent. The noble Duke at the head of the Army had already taken a great step in that direction; and he (Earl Grey) had shown to how small an extent corporal punishment was now made use of. But in these circumstances it did become of importance to find some efficient substitute, to adopt some mode of getting rid of bad soldiers. Now, once create in the minds of the soldiers and the people of this country an impression that to be dismissed from the Army was not a reward, but a punishment, and, practically, they would have got rid of the difficulty. In the police force no such thing as corporal punishment existed; and how did they keep up the system of discipline? Why, because the men felt their position to be good, and, that to be dismissed from the force was the severest punishment. He wished, then, to be able to say to the soldier, " If you don't behave well, you shall not have the advantage of serving in Her

Majesty's Army; you must not have these advantages arising from the service of Her Majesty in the Army which you cannot otherwise procure;" and, he believed, they were not so far from arriving at that state of matters as might be supposed. But it was altogether inconsistent with the policy which would establish such a state of things, that the man should be enlisted for a life service. There was another, and one which in his opinion was a very important, consideration connected with the reduction of the period of enlistment. It was the having a body of well-trained soldiers dispersed throughout the country, ready to be called on for the defence of the country in time of emergency. Many of the Continental States—he believed indeed all of them—had adopted the policy long since of making the period of service in their armies extremely short, and thus making a large proportion of the population in turn go into the ranks. In Prussia, for instance, the army was composed of men serving for the short period of three years, who after that period left the ranks, but were liable to be called upon to serve again in one of the forms of militia. Now, if that country were attacked, she could, at any moment, depend upon being able with certainty to call out a very large number of trained and disciplined soldiers to form her army. The great proportion of the male inhabitants of that country were trained in this way to be soldiers; and it was impossible not to see how greatly it added to the safety of the country. No doubt it was more necessary in a Continental country, surrounded by active and ambitious neighbours, than here; but he had no hesitation in saying, and it was the opinion of others far better able to form an opinion than he was, that we had trusted far too much to the supposed safety arising from our insular position; and that, he thought, we ought to have more efficient means than we now had of getting, at short notice, in the moment of danger and invasion, the service of a large number of men trained to the use of arms. To a certain degree this policy had been already adopted. Four or five years ago a Bill was passed, brought in by Lord Hardinge, then Secretary at War, by which discharged pensioners were enrolled for service in companies to be called out periodically and at all times when considered necessary. The principle on which those companies was formed was, that they should serve for twelve days in each year, and at all other times when it was considered necessary to call them out. Under the provisions of that Act, a considerable number of men had been enrolled for service; the number now amounted to 13,000, and he had been told by many officers of high rank, who had seen them when called out for training, that though many of them had been for several years out of the Army, yet, having in their youth been trained as soldiers, it was wonderful how rapidly they regained all they had lost, so that in a very few days they could go through all their military exercises and evolutions with as much facility as in their best days. All the military authorities he had consulted concurred in this that in garrison, and in defence of our great arsenals, those pensioners would be found quite as efficient as any body of men that could be employed. If, then, in case of any emergency, these pensioners were thrown into such places as Portsmouth, Plymouth, and other garrisons, they would set free an equal number of active soldiers for service in the field. But if the anticipations of those who objected to the Bill were well founded, and if soldiers generally accepted their discharge after a ten years' service, that was at the age of twenty-eight years, they would have in the course of a very few years a large number of men scattered throughout the country perfectly trained to arms; and that, he might venture to say, would be a consideration of very great importance. One of two things should, therefore, happen. They should either relieve the Army from the unjust odium of retaining a great number of soldiers in the ranks against their wish or inclination, whereas he (Earl Grey) believed, they really staid of their own accord; or else, if he should prove to be wrong in that opinion, they would insure to the country a large trained reserved force against any emergency that might arise. Much stress had been laid by the noble Lord opposite on a former evening upon the extreme inconvenience of losing so many of the best men at the end of a few years' service. He (Earl Grey) knew that no commanding officer liked to lose his most experienced and best-trained men; but his own anticipation was, that a much smaller number of men would quit the Army than was believed; and he thought he was justified by the experience of the few last years, in saying that the great majority of men, after learning their profession, would choose to continue in the Army. In the year 1829, a

Bill for permitting soldiers to obtain their discharge from the Army had been first introduced. That regulation had been introduced by Lord Hardinge; and the period of service required before it would be competent to the soldier to obtain his discharge, was fixed at sixteen years. To that measure precisely the same opposition had been offered, and the same sort of prophecy as to the results uttered as now. But so far were those anticipations from being realized, that the period was reduced, to fifteen and subsequently to fourteen years; and, under Mr. Sidney Herbert's regulations, it had been permitted that soldiers who could produce good-conduct testimonials, might obtain their discharge upon the same terms as before, after a service of twelve years. [The Duke of Richmond: Hear hear.] The noble Duke cheered that observation. He (Earl Grey) understood the cheer to imply that the effect of the measure would be to get rid of the good soldiers, who would avail themselves of the opportunity to retire. But he (Earl Grey) thought that if the good soldier left them so gladly, there would be no use in keeping the bad against his own consent; and if they should find, as he expected they would, the result to be that the good soldier would not, generally, leave the Army, there would be no cause for apprehension, for the bad soldier might go if he pleased, and welcome. But, from a memorandum which he held in his hand, he would show that instead of the soldiers having manifested any anxiety to accept the opportunity of obtaining their discharge, the contrary had been the fact. Between the years 1830 (when the first Act enabling them to obtain their discharge came into operation) and 1844, inclusive, the total number of soldiers who had applied for and obtained their discharge, gave an average of only fifty-five annually out of the whole British Army, being less than one man for every two regiments. Let their policy be of a more manly character, and let it be known that soldiers would not be kept in the ranks compulsorily, and they might depend upon it the effect would be to retain men in the service. They might form some judgment of the effects of enlistment for limited service from the working of the system in France, where, although it was compulsory on men to serve, they being drawn under the law of conscription, yet it appeared that they became reconciled speedily to the service, because they knew that they would be obliged to serve for only a short time; and in the great majority of cases it was found, that military habits being once formed, men very willingly either continued to serve in the Army, or enrolled themselves among the gens-d'armes. As to the chances against the men who should accept their discharge enrolling themselves again for home service, he was perfectly persuaded that, whether they enrolled themselves or not, if danger to their country should arise from a threatened invasion by any foreign enemy, their loyalty to their Queen and their love of country would be sufficient inducements, especially when added to the desire to meet again their former comrades, to draw them to the service; and if danger really approached the British shore, those men, whether compelled by law or not, would, he was persuaded, willingly come forward, and risk their lives with their ancient comrades, in the defence of their country. As a proof of the state of discipline in which the enrolled pensioners appeared to be, he would state that when the first detachment of pensioners, consisting of seventy men, were embarked for service in New Zealand, there were only three of the number who unfortunately got drunk; and the only punishment inflicted upon them had been to send them ashore in custody, a punishment which they felt to be a deep degradation and disgrace. Now it was alleged that there was no inducement held out to the pensioners to enrol themselves except the chance of meeting their old comrades during twelve days in the year, whilst on training and duty; but to those men who under the new Act would, after their ten years' service, enrol themselves again for the deferred pension, there would be a pension granted, when they might be only fifty years of age, of sixpence a day. The noble Duke (the Duke of Richmond) smiled at the smallness of the sum; but it should be borne in mind that that would be given to men still able to do a great deal of work of many kinds. The inducement would be therefore not quite so small as at first sight it might appear to be. He was aware that the smallness of the pension had been objected to; but they should look to the many difficulties which surrounded the question, financial as well as others. In 1829 a warrant was issued allowing men to retire with a full pension after twenty-one years' service. Thus men at the age of thirty-nine would receive a pension equal to the pay given on remaining in the service; thus all inducement for such men to remain in the Army was taken away.

In 1829, the pensioners in the Army amounted to the large number of 85,900, while the whole Army was only 98,000. The charge also for these pensioners was 1,348,000*l.* Thus it was found that the charge for pensions for the peace service was as rapidly increasing as that for the war service had done. The state of things also which existed under the warrant issued shortly afterwards, by which it was rendered necessary that a soldier should go before the medical board at Chelsea, before he received his discharge and pension, operated in such a way as to give an advantage to the bad soldier over the good. For instance, men who were the most inveterate spirit drinkers would go before the board at Chelsea Hospital, and from the ruined state of their constitution would be discharged as unfit for farther service, and would thus, after twenty-one years' service, obtain a full pension; whereas a sober and steady man, who had taken care of his health, would be sent back to his regiment, or not obtain a full pension. To avoid such an evil as this, the system was revised in 1833, when it was declared that after that period the soldier, at the expiration of his twenty-one years' service, should not be entitled to a higher pension than sixpence a day. He was perfectly willing to admit that there was a fault in this warrant on the other side, as it gave too low a scale of pensions to the soldiers; no doubt it was sufficient for the bad soldier, but it was a very inadequate remuneration for the good. The consequence of this was, that in 1835, he (Earl Grey) had the honour of proposing, as Secretary at War, a measure by which the soldiers would be entitled to get additional pay for good conduct. This warrant was further extended by one issued by Mr. Sidney Herbert, in January 1845, by which a soldier, in addition to his pay of sixpence a day, might receive fourpence a day more for good conduct, thus making together tenpence a day; and if the period of his service extended beyond twenty-one years he might receive even more. It was now suggested that the minimum pension should be increased: that instead of 6*d.*, there should be given 8*d.* a day, and that the additional 4*d.* for good conduct should still be granted, in order that the full pension of 1*s.* per day should reward the temperate and good soldier on his retirement from the service. It had been proposed to extend the allowance for good conduct to sixpence a day. He would only say on that point, that the proposition should receive every attention from Her Majesty's Government. There were two or three other points to which he had intended to allude, as they had been introduced into a discussion which took place on this subject a few nights ago; but in consequence of the great length to which his observations had extended, he would not enter upon them; but he trusted the House would allow him to supply any deficiency which might appear in his statement in reply. In conclusion, he would at once move the second reading of the Bill, and in doing so he felt bound to thank the House for the indulgence with which they had listened to his long statement on this very complex subject.

VISCOUNT COMBERMERE, who was almost inaudible, was understood to object to the principle of the Bill, and to the mode in which the changes were proposed to be carried into effect; they might have been made by the Commander in Chief under Royal Warrant as well as by an Act. He was of opinion, and he knew that others who possessed great practical experience on the subject coincided in opinion with him, that the proposed system would not improve the condition of the Army, or induce a better class of men to enter the service; nor would it tend to improve the moral condition of the soldier. He should be glad to know what better class of men they could expect to enlist than those who were now in the service; for now they obtained their recruits chiefly from the agricultural population, which was the best class for that purpose. He objected to the plan because it would create two kinds of service in the Army; it would entail an enormous expense upon the country to discharge and return the men whose services should have expired, while it would impair their efficiency as a military body. He thought, moreover, that the men themselves would not understand the difference between limited and unlimited service. It appeared that the condition of the soldier had been stigmatized by the term slavery. From this assertion it might be assumed that it was derogatory to the character of an Englishman to be a soldier under the present arrangement. If, however, this was the case, why not put the present soldiers on a footing with those who would hereafter exist? Out of the 121 regiments in the service, 72 were constantly on foreign service, and about 6,000 every year went abroad or came home. If they passed, not merely this Bill, but any Bill for limited enlistment, they would find that the greatest confusion would arise, not merely in time of war, but in time of peace; and it would be utterly impossible to carry the plan into effect in the East Indies. Not only the inconvenience of trying the scheme would be very great, but the expense attending it would be enormous. He concluded by moving that the Bill should be read a second time that day six months.

The Duke of WELLINGTON: My Lords, certainly it was unnecessary for my noble Friend to apologize for addressing your Lordships on this subject. There is no officer in the service better qualified than he is, from his long experience and acquaintance with military transactions in most parts of Europe and Asia, to judge of the effect likely to be produced by the measure under your Lordships' consideration. I agree with my noble Friend, with respect to the importance of this measure in its bearing upon the interests of the Army; and I assure him, that if I thought it was calculated to deprive the Army of the old soldiers, I would be the first to object to its adoption; but, having well considered the measure ever since it first came under the deliberation of Her Majesty's servants, it is my opinion that it will not lead to any diminution of the number of the old soldiers in the service. My Lords, I maintain that old soldiers are absolutely necessary to the very existence even of the Army. I will not direct any observations as to what ought to be the condition of the Army when engaged in active service, because I am aware that it is unpalatable to a British House of Parliament to consider in time of peace what is necessary in a period of warfare. I, therefore, will refer only to the Army in time of peace. I say that you must have the best disciplined troops in the Army which you maintain for the service of the country. This country cannot exist without such a body in its service; and I earnestly entreat your Lordships to attend to that circumstance in dealing with this measure, and to take care that it shall not deprive the country of the services of its old soldiers. It is they who set the example; it is they who maintain discipline and good order; it is they who at all times put themselves at the head of all great enterprises; and it is they upon whom you must rely for the performance of those services which are required from an Army in time of peace as well as in war. I must observe that, although this country has been under the protection of treaties of peace for thirty years and more, I have, during that time, had under my consideration military operations of great extent and importance, not only in the Mediterranean, but in North and South America, in South Africa, and all over Asia, nearly at the same time; and if you had not had the highest discipline and the best troops in the world, it would not have been possible for you to carry on those operations. Look, my Lords, to the case of China. In that case it was necessary to transport troops from Australia, and land them in China, where they were called upon to act on rivers, in creeks, and upon islands, in concert with the ships of Her Majesty. They succeeded in effecting all that was expected from them. How was that done? It was done by the discipline of your troops—the discipline maintained by the old soldiers. They were the men who led the young ones, and, acting together, they are able to achieve any conquest. I may also, my Lords, refer to another transaction which was mentioned in one of the despatches of my noble friend Lord Hardinge. One night, during the operations against the Sikhs, a regiment was lying on their arms, and Lord Hardinge was lying on the ground at their head. The enemy opened a fire upon them and annoyed them very much; in consequence of which my noble friend ordered the regiment to rise and advance upon the guns. The order was obeyed, and the guns were captured. This was at night, remember. Now, my Lords, I ask whether such a feat could have been performed, under such circumstances, except by old soldiers? It would have been impossible. Bear in mind the conduct of the Emperor Napoleon with respect to his old soldiers. Remember the manner in which he employed them. Recollect, too, how much they are prized in every service all over the world; and then I will once more entreat your Lordships never to consent to any measure which would deprive Her Majesty's service of old and experienced men, and thus pave the way for disasters which would assuredly follow when the Army should come to be employed in war. It is my opinion, however, that the present measure is not calculated to have such an effect. It is my opinion that, considering all the circumstances connected with this measure—considering the comforts which the soldier already enjoys—considering the other advantages about to be conferred upon him, it is not likely to be attended with the effect of diminishing the service of the old soldiers. I beg to remind your Lordships that the servants of the Sovereign of this country have always had it in their power to enlist soldiers for limited or unlimited service—at least such power has been vested in them since the failure of the experiment of 1806, to which my noble Friend referred. The Government fixed the amount of bounty, which, as has been truly stated, regulates the enlistment for limited or unlimited service; and, therefore, the proposition of limited service is not exactly new to the Army. It is new, practically, as far as this, that there are not now any limited service men in the Army except in some of the bands. In point of fact, the whole of the Army at the present moment is enlisted for unlimited service. It is now purposed that henceforth men shall enlist for limited service. The noble Earl who so ably addressed your Lordships in moving the second reading of this measure anticipates that one of its consequences will be, that a superior description of men will be induced to enlist in the service of Her Majesty. I sincerely hope that such a result will follow from the adoption of the measure; but I confess I very much doubt it. But, putting that out of the question, I believe that, looking at all the circumstances of the case—looking at the advantages held out to the soldier, in the rewards for good conduct given after five, ten, fifteen, and twenty years of service, the Army will suffer no injury from the measure, and that the soldiers will re-enlist at the end of ten years' service. That being my opinion, I requested the noble Lord at the head of the Government and the Secretary at War to insert in the Mutiny Bill and into the present measure a clause to enable men to re-enlist at the end of ten years. I believe that, under the circumstances, they will re-enlist. I, therefore, have no objection to try again the measure of limited enlistment; and I entreat your Lordships to adopt the measure. It is my firm belief that this measure will make no difference in respect of the number of old soldiers in the Army. It is quite clear, from the statement of the noble Earl, that the soldier who re-enlists, will, at the expiration of his second period of service—that is to say, twenty years—if he be a well-conducted man, be entitled to the accumulation of good-conduct rewards amounting to 4*d.* a day, as well as to the present pension of 6*d.* a day, making altogether 10*d.* per day; and, if the proposition adverted to by the noble Earl be adopted, and the pension fixed at 8*d.* instead of 6*d.*, the soldier would, in that case, be entitled to 1*s.* per day, which was the amount of the retiring allowance established in 1806. The soldier will also be entitled to another advantage—if well behaved he will at the end of twenty years receive a bounty of 5*l.* Then, there are the various advantages held out to non-commissioned officers, as well as good-conduct allowances, after having served the number of years specified. The prospect of becoming a non-commissioned officer will be another inducement to the soldier to continue in the service. I maintain that, in consequence of these rewards for good conduct, men will acquire the habits and qualifications which are the characteristics of good soldiers, and become much attached to the profession in which they enjoy so much comfort; and knowing the advantage which they will eventually obtain—an advantage which is possessed by no man in any other walk of life—they will be desirous of re-enlisting and remaining in the Army. All I desire is, that they should so remain, and give their country the benefit of their services during the whole period for which they are capable of serving. I do not desire this for the sake of the commanding officers. I know that commanding officers are naturally anxious to have old soldiers in their regiments instead of young men; but I do not take their wishes into consideration; I desire it for the sake of the public service. For the reasons which I have stated, I think your Lordships will run no risk of injuring the Army by adopting this Bill, more particularly if the Government should make the pension for good service equal in amount to that fixed by the Act of 1806. My noble Friend referred to the inconvenience which was experienced under the Act of 1806, in consequence of the men receiving their discharge at the expiration of the first period of service, which I think was in 1813. I recollect there was some inconvenience of that nature; but it was met as the British Army would always meet any inconvenience to which it might be exposed. The great thing is to secure the service of the men; and, if we succeed in doing that, I do not care much for the inconvenience which may arise. It is true, as my noble Friend has stated, that expense will be incurred in bringing the men home from distant colonies. That cannot be helped; the troops must be brought home at any cost. It is a great hardship upon regiments to be kept abroad, as they are now, for 20, 25, or 26 years. Many persons think that the present measure will greatly improve the service. As I before said, I hope that will be the result, though I am not so sanguine as to expect it. All that I can say is, that I shall do my best to carry the measure into execution, and to see it fairly adopted; and being convinced that it can be adopted without the risk of losing the services of the old soldiers of the Army, and being certain that it is the wish of Her Majesty's Ministers, as it is mine, to retain the old soldiers in the Army, I earnestly recommend your Lordships to let this measure pass. My Lords, the noble Earl has referred to two other questions, namely, the question relating to pensioners, and the question relating to punishments. With respect to the pensioners, I beg to warn the noble Earl, and I beg to warn your Lordships, against the belief that the old soldiers who are in the way of receiving pensions, are at all to be compared with the veterans of whom I have been talking. These veterans are the leaders of their regiments—they are the mainstay of the service. The pensioners may be very good men; they may do very well when embodied in another form, or even when embodied with those veterans; but they are not the men of whom I have been talking, who are the heart, and soul, and courage, and life, of a regiment. My opinion is that you will not lose these men by the measure you are now called upon to adopt. My opinion is that these men will re-enlist; I have no doubt that they will be induced to do so by the advantages held out to them. My Lords, I entirely agree with the noble Earl in the observations he made relative to punishments. I sincerely wish that circumstances may enable us to diminish corporal punishment still more, and that at length it may be entirely abolished. The Mutiny Bill which was lately passed contains another measure, with the view of enabling the officers of the Army to do without corporal punishment. The Mutiny Bill authorizes the officers to commute sentences of corporal punishment for other punishments, which they are enabled to inflict. I have no doubt that use will be made of that authority, in order still further to diminish the amount of corporal punishment. I hope it will be found to have been still further diminished when the next return is laid before Parliament; and that, finally, we may be enabled to put an end altogether to a punishment which is so much in opposition to the feelings of the country. My opinion is that this punishment or any other punishment has nothing whatever to do with the question of limited or unlimited enlistment. That which affects the character of the Army is the hardship of the service, the regularity of the discipline, the necessary severity of the discipline, the hardships which the men are obliged to undergo in long service in our colonies abroad—it is these things which affect the popularity of the Army. Punishment has not the smallest effect upon it. What I want to see is good conduct prevail by means of those inducements which produce good conduct among other classes of society—not by punishment, not by fear, but by good treatment and justice. I believe that these effects can be produced. I believe that the system of education which is encouraged by Her Majesty's Government will have a great effect in inducing that good conduct, and in rendering the soldier aware of the superior benefits he enjoys compared with other classes of men in the same ranks of life. I do not believe that the measure will have the effect apprehended from it by my noble Friend (Viscount Combermere), namely, the removal of the old soldier, and therefore I entreat your Lordships to adopt it.

The DUKE of RICHMOND observed that after the speech of the noble Earl who had moved the second reading of the Bill, and of the noble Duke who had supported it, he could not for a moment suppose that the Government intended to do anything but what they professed, viz., to endeavour to ameliorate the condition of the soldier. He most sincerely believed that such was their intention; but he could not refrain from looking with much doubt and hesitation at the Bill now before them. The noble Earl who proposed the measure had told them that a short period of service would have the effect of inducing a better description of men to enlist in the ranks of the British Army, and, at the same time, he said that dismissal from the ranks would be the severest punishment that could be inflicted upon them. He (the Duke of Richmond) believed that considerable difficulty would arise in the Army at foreign stations or in regiments ordered to the coast of Africa, for instance, or the West Indies; but he did not believe that the West Indian colonies were disliked by the soldiers. The duty to be performed in the latter colonies was not as severe as the duty in Ireland, and, he believed, many men did not object to go there; but order a battalion of 1,000 men to Africa, let their head-quarters be at Sierra Leone, and he asked how many men who were within a few months of the expiration of their period of service would like to re-enlist for that service? Not one; and the result would be, that if out of the battalion of 1,000 men 200 claimed their discharges after ten years' service, it would occasion the greatest dissatisfaction among the 800 who remained. He believed that at the present moment the Army, in point of morality, discipline, and general efficiency, was never better, anI that mortality had very much decreased in it. Now if it were generally and gradually progressing, why not let very well alone? If all those benefits which the Army now enjoyed, were obtained under the system of unlimited enlistment, why did they now wish to change it? The noble Duke told them, he recommended them to vote for the Bill, because its operation would not occasion the loss of the old and experienced soldiers. But suppose those soldiers had inducements offered to them to leave the Army, the country would lose the benefit of their services, and the desideratum of their continuance in the ranks would be lost to the country. He objected very much indeed to the period of service which this Bill proposed. What inducement did it afford? It provided that the recruit was to enlist for ten years, and if he wished, at the expiration of that time, he might enlist for eleven years. Now, he asked, if they were to pass any Bill (and he entirely denied that they ought), why not have made the period of the first service fourteen years, and of the second service seven? It would have been much better to have done so, and he trusted that his noble Friend opposite would see the necessity of taking this suggestion even now into consideration. The Bill as it stood was at all events clearly defective in one respect, namely, that it did not make any provision for the passage home of soldiers whose period of service expired while they were stationed in the colonies. It was nothing less than a mockery to tell a soldier whose period of service might happen to expire in New South Wales, that it was at his option to remain in the service, or to re-enlist, unless, in the event of his preferring the former, they provided him with a free passage home. The object of the Bill was declared to be that of introducing into the Army a better class of men, and inducing good conduct on the part of soldiers; but he very much questioned whether it would have any such effect. The surest way to insure those desirable objects was to increase the pension, and to give additional encouragement to the soldier. The necessity for a measure such as this was entirely superseded by the admirable arrangement introduced by Mr. Sidney Herbert, on the 3rd of December, 1845, whereby a regulation was made that a soldier who had been so well conducted as to receive two good-conduct stripes, should, at the end of a service of twelve years, be entitled to demand his discharge. That was a good measure, because it offered a great inducement to the men to behave well. The object of the Bill, as he had already stated, professed to be that of raising the character of the soldier; but he very much feared it would have a very different operation. The effect of the 10th Clause would be, or might be, that a soldier who had been transported for twelve years would be permitted to re-enlist. The Army would gain an oldish man, no doubt, to drill the recruits; but it was very much to be apprehended that he would drill them in habits and practices that were anything but desirable.

Earl GREY denied that there was any clause in the Bill susceptible of the construction put upon it by the noble Duke. The clause was totally unlike the version of his noble Friend.

The Duke of RICHMOND: He was far from saying that the present system was totally free from objection. He considered that the English nation treated their old soldiers, and particularly their wounded soldiers, in a most ungrateful manner. If a man lost his leg in action, a distinction was made as to the exact part of the limb in which amputation took place. He knew a case in point, in the person of a soldier in the 92nd Highlanders, who lost his leg in Holland. On coming home he received a pension of 9*d.* a day; but, finding this sum insufficient for the support of himself and his wife in their decline of life, he applied to the Chelsea Commissioners for an increase of his pension. The Commissioners, who answered his application with characteristic courtesy, wrote to him to say, that if the amputation had been above the knee his petition would be laid upon the board for decision; but, inasmuch as the doctor had thought fit to cut off the limb below the knee instead of above it, the poor man, although now nearly seventy years of age, was not allowed an increase of pension, and had still to endeavour to support existence on 9*d*. per day. It was said that the increase of soldiers' pensions would be attended with expense; but he liked it all the better for that, for the more expensive war was the better, as nations would be prevented from engaging thoughtlessly in it, as in olden times. He had to take exception to certain expressions which, in the course of the debate in another place, had fallen from his Friend the Secretary at War, who stated that unlimited enlistment was slavery for life. Well, they were going to keep 90,000 men in a state of slavery for life—was that a judicious thing for the Secretary for the War Department to tell the soldier? But he (the Duke of Richmond) denied that it was a slavery for life, for if a man chose to behave himself well, he would receive the good-conduct stripes, which would entitle him to receive his discharge in twelve years. If the Government wished to benefit their old soldiers, he would tell them what to do. Let them appoint old soldiers to such offices as they might be fit for: for instance, make them park-keepers, instead of giving such posts to the sons of voters for Members of Parliament. He should cordially support the Amendment.

LORD STRAFFORD addressed the House for a few minutes, but not a single observation was audible.

LORD DE ROS said, that the noble Duke (the Duke of Wellington) had rested his support of this measure on the likelihood of its detaining the old soldier in the service. He (Lord de Ros) much doubted whether there were sufficient inducements held out by Her Majesty's Government for that purpose. Considering the time and experience that were requisite to make a good cavalry or horse-artillery soldier, he thought the period of enlistment by far too short.

The DUKE of CLEVELAND said, the Army was never in a more efficient state than at present, and yet the noble Earl (Earl Grey) said that it wanted great changes. How could this be? He could not reconcile such a contradiction. Time might have done something towards improving the habits of our soldiers; but he much doubted whether they were much better than when he commanded a regiment twenty-five years ago. It was said that this Bill would induce a better class of men to enlist, and that it would very much diminish the necessity of military punishments. If it would have that effect, he would support it; but he did not see how it could. He never knew an instance in which recruits, on enlisting, had preferred a limited service, and naturally for this reason, because a common soldier, when he enlisted, looked to the Army as a provision for the rest of his life. He thought twenty-one years the longest term which a soldier ought to be called upon to serve, for during fifteen out of the twenty he was generally on foreign service, and exposed to all the vicissitudes of climate, from hot to cold and from cold to hot. When the soldier served for twenty-one years, on the whole he thought he was entitled to a pension of 1*s*. a day; and after ten years' good service he would wish to see a rule made whereby he might be entitled to a pension of 6*d*. per diem. He thought the experiment about to be made hazardous and unnecessary, and regretted the Government had attempted it.

LORD STANLEY, who was in parts inaudible, said, he felt that he was presumptuous in addressing their Lordships upon this Bill, not having the honour to belong to the service to which it referred. He should certainly feel that presumption much more strongly, if, upon a question of this nature, he could believe that Her Majesty's Government had the support of the deliberate and favourable judgment of his noble Friend the noble Duke at the Table (the Duke of Wellington). It was true the noble Duke had intimated his intention of voting in favour of the second reading, and he (Lord Stanley) was well aware of the great impression which that determination must have upon the minds of their Lordships; but, if he (Lord Stanley) was not mistaken in his recollection of the words of the noble Duke, they tended only to express an intention not in his public character to oppose the proposition of Her Majesty's Government, although the noble Duke's private opinion was, that the measure was one of doubtful utility, and of no inconsiderable hazard. He (Lord Stanley) was decidedly of opinion that the measure was one which did not promise to realize the expectations held out by the noble Earl. It was one incurring an unnecessary risk, and therefore most unwisely interfered with the best and most efficient Army they had ever had in this country, and, he might add, the best that any country in the world could boast. It ran the risk of a dangerous interference, without holding out any reasonable prospect of gaining the advantages proposed. Even if the Bill were wholly unobjectionable—even if its principle were right, and it was wise and judicious to try the experiment of limited enlistment, there was no need of it; and, if no need, then it was not desirable that their Lordships should be called upon to sanction the measure. In 1806, when Mr. Windham brought forward his measure for limited enlistment in the Army—and their Lordships would bear in mind that that was the single instance and precedent adduced in support of the present measure—a precedent which the noble Duke had designated as a failure—when Mr. Windham brought forward that proposition in Parliament, the objection was taken, and repeatedly urged, and never answered, that, admitting the experiment to be reasonable, the Crown had full power by its own prerogative to make that experiment without asking Parliament for its sanction. The same remonstrance might now be justly made to the Government. This was not an enabling—it was a restraining Bill—it was a restriction upon the prerogative of the Crown—that prerogative, which, though it might not now be improperly exercised under the noble Earl opposite, might be, at some future time, exercised under the advice of very different opinions. He would repeat, that it belonged to the prerogative of the Crown, in this as well as in other kingdoms, to say under what terms, circumstances, and for what duration, the armies of the Sovereign should be recruited. It was the right of the Crown to enlist with or without limits. This prerogative conferred that power to the fullest extent. Why then, unnecessarily, hazardously, and, as many thought, unwisely, ordain that in future no man was to be enlisted except for a limited period? But what were the objects which the noble Earl contemplated by this measure? He thought he represented the noble Earl correctly when he stated, that he sought by it to make the service popular—to introduce a better class of persons into the Army—and to have a large portion of the population of this country trained to arms and ready to assist in the military defence of their country. His noble and gallant Friend, whom he did not see in his place, said, this Bill, so far from having a tendency to promote, had rather a tendency to check enlistment. He had a strong opinion that such might be the result. But let them see the arguments of the noble Earl in favour of the measure. The first hour, or hour and a half, of the noble Earl's speech, was occupied with statements exceedingly interesting and important; but they were interesting and important only as they bore upon the present condition of the soldier; for they had no sort of reference to the present Bill—not the slightest reference to any one of its provisions. There was not in that part of the noble Earl's speech the shadow of an argument bearing upon the provisions of this measure. Nay, more, not only was there no argument in favour of the Bill, but the whole tendency of those observations was to show that the Bill was wholly unnecessary. He alluded to the period of 1806, when Mr. Windham's Enlistment Bill was brought forward. The noble and gallant Duke (the Duke of Wellington) was then hardly known in connexion with the European Army. His experience was, of course, great; but yet he would appeal to him or to any gallant officer in the country, who knew by experience, or who had studied the history of the Army, if the Army, as it stood in 1806, was at all comparable to the Army of 1847? Successive Administrations had gone on since then improving the condition of the soldier. The noble Duke had been also instrumental in that improvement. Did he say that improvement ought to stop? Far from it. In God's name let the Government go on and improve the condition of the soldier. Let them confer upon him all the advantages which the noble Earl had enumerated—let them go on with the reduction of corporal punishments—let them go on with the improvement of barracks—let them go on improving their rations—in making places of recreation—in forming military schools—in giving them libraries, and in making the Army as desirable as he anticipated. They were agreed on all these questions. But the question they then had to consider was, whether or no there was anything in that measure which would make the Army more efficient, better ordered, and more popular than it was; and if so, whether such prospective advantages would compensate for the risk. The single precedent by which the Bill could alone be supported was under very far different circumstances. There was a difficulty in procuring troops sufficient to fill up the vacancies occurring, and the country was in the midst of a dangerous, a bloody, and a protracted war.

It was under these circumstances Mr. Windham brought forward his limited Enlistment Bill. Were there any such circumstances to justify the introduction of the present measure? The noble Earl said the Army was unpopular. Where was the proof that the Army was so? He could not see any dislike to entering the Army amongst that class from which the Army had been hitherto supplied. They entered readily enough into its ranks. The noble Earl had made the assertion—he wanted the proof. He knew no such proof. But he did know, that in the course of the last seven years 37,000 had been enlisted, and no less than 12,000 or 13,000 who offered themselves had been rejected. He knew, also, that recruits to the extent of 50,000 had offered, and that the average enlistment was only 10,000 or 11,000. Did that show the Army was unpopular? But the noble Earl said it was so. Then he demanded, once more, the proof. They had some experience on their side. He had collected a few figures in the course of the morning. He would not weary their Lordships, but he would just state some of them. But first, he would say that there was this difference between Mr. Windham's Bill and the present, that whereas the former applied only to a portion of the Army—and that to a small one—the present one applied to the whole Army. And yet, Mr. Windham complained most grievously in 1808, after the experience of some fourteen or sixteen months, of the success of his measure, and put in a clause enabling them to contrast fairly limited with unlimited enlistment. At the time of the war, there was, he admitted, an increased bounty for unlimited service; but that was soon materially diminished, and in a short time sank to almost nothing. He had then before him the returns of enlistment in the London district from 1817 down to 1828. The whole of that period was one of peace. From 1817 to 1828 the returns of limited and unlimited enlistment were concurrent in their regiments. Let them go to plain figures. If that limited service was so popular, let them see how the figures supported it. He found, by the returns before him, that from 1817 to 1828 12,006 were enlisted for an unlimited period. How many, did they think, were enlisted for limited service during the same period? He would tell them. Two hundred and eighteen men were all that chose the "popular" alternative. But he had a stronger case. He would take the Dublin district. In that district, during the period he had stated—from 1817 to 1828—39,687 men were enlisted. How many of these were for limited service? A very considerable number they would say, no doubt. How many thousands?—how many hundreds? Just ninety-five men. Ninety-five men, out of 39,687—the remainder preferring unlimited to the limited and "popular" enlistment. In the year 1829, it was thought that this experiment had been tried long enough. In that year, the Commander-in-Chief, by a general Order from the Horse Guards, directed that enlistment of recruits for limited service should be discontinued. If, then, Her Majesty's Ministers were now of opinion that their experiment was necessary, and if the noble Duke (the Duke of Wellington) thought it was safe, why not issue an order; because, by the testimony he (Lord Stanley) had produced, it required nothing more than an order from the Horse Guards to say, that henceforth limited service should be the rule of enlistment? Try your experiment, but don't call upon Parliament to sanction it. It was in the power of the Secretary of State to make the experiment upon his own responsibility without calling upon Parliament. But it was said, that this measure was to make the Army popular. The noble Earl was of opinion that the Army was at present unpopular. He (Lord Stanley) denied the fact. The noble Earl thought that this Bill would make the Army more popular. He (Lord Stanley) doubted the conclusion. The noble Earl had said, that the Bill would bring a better class of men into the Army. Now, what was the remark of the noble Duke upon that point? The noble Duke said, "The noble Earl says, that the Bill will bring a better class of men into the Army. If it do so, I shall be very glad to see it, but I must say I very much doubt it." That certainly was no very strong argument that the Bill would bring a better class. But why should there be a better class? Better, for what purpose? Better, in what way? Better, as soldiers? Where would they find better men than composed the British Army at the present time? They were as well disciplined, as gallant, and as well-conducted soldiers as any Army in the world. Did the noble Earl mean by the term "better," that tradesmen would enter the Army? In the first place, he (Lord Stanley) doubted whether the noble Earl would get them; and, in the next place, he very much questioned whether, if he did get them, they would be better soldiers. If this country began to enlist their Army from lawyers' clerks, bankers' clerks, and that class of persons, the result would be that the Crown would not have a better class of soldiers, but that they would be the worst of soldiers and the most turbulent men in the Army. He (Lord Stanley) did not believe that unlimited service enticed bad men to enter the Army, and kept good men from it. With an Army of 100,000 men, he admitted it was more than they could expect, that all the men should be of unblemished character; but it was not a limited service that would change that character. The noble Earl had said, that the alternative of a limited service was a service for life. It was not so. It was for so long as the men were capable of serving. However, he (Lord Stanley) did not believe that recruits would enter the service calculating upon the term they would have to serve. If any such calculation should be made, it would be the rash, headstrong, and ungovernable boys, who, knowing that the term of enlistment was but for ten years, would in a moment of disobedience run from their masters and rush into the service. It was not the man himself, but his relatives, who cared about the period for which he was to serve, and they would look at the ten or twelve years proposed by this Bill as being as great a separation as the period of service at present required by the Army. If any recruit should draw a distinction in his mind between the two services, it would be only such scapegraces as those. The noble Earl seemed to desire that their service should be the same as the Continental service, and that the whole of their male population should be trained to arms. He (Lord Stanley) very much doubted the advantage of that system. He thought it most desirable that, when a man went into the Army, he should go with the view of making that as much his profession as any other party did who entered a civilian profession, make that the profession of his life. The soldier should feel that the Army was to be the field in which he was to display his exertions and capacities—he should feel that the duties of the soldier were those which he would have to perform as long as he was able—that the rewards to which he was to look were to be the rewards conferred upon him in case he conducted himself well—that it was the profession by which he was to live—that it was the profession which he ought to follow as long as he was able, and not merely for a period of ten or twelve years. But the noble Earl said, it was a great advantage to have the whole population of a kingdom trained in the use of arms. He thought, on the other hand, that such a system was liable to very grave objections. He did not, for a moment, doubt the advantages stated by the noble Earl, to have been reaped from the plan introduced by Lord Hardinge, when Secretary at War, the object of which plan was to keep the pensioners in close connexion with each other—to separate them from the evil influences to which they might be exposed. That was an admirable plan; but such was not the principle of that Bill. If the present Bill was to be carried out, men entering the Army would feel that nine-tenths of their lives might be devoted to civil professions, and that one-tenth only would have to be passed in the Army. Did they believe that the inducement which was offered by that Bill to a man to re-enlist, would be a sufficient consideration to any man to do so? The noble Earl said, he was desirous of making the Army popular, and he was also desirous of keeping good men in the Army. But then the noble Earl went on to express his hopes, that when that Bill had come into operation, they should have a fine military population. He meant to have a fine body trained up in the use of arms, ready to be called up in case of emergency. But then, after the noble Earl had talked so much of the benefits to be derived from such a body, the noble Duke at the head of the Table (the Duke of Wellington) said, that he did not believe that that Bill would have the effect of withdrawing the old soldiers from the Army. Now, one of two things must happen—either the Bill would withdraw the old soldiers from the Army—and then, as had been said by the noble Duke, it would seriously injure the character of the Army—or it would retain them, in which case the hopes of the noble Earl as to a military population would not be realized. It had been truly stated by the noble and gallant Duke, that the old soldiers in a regiment were of great advantage to the younger portion of it; that the younger soldiers profited much by their example; that they were guided by the influence and counsel of the old soldier; that, in fact, he was a sort of leader of his regiment; but all these advantages they would lose, if the hopes of the noble Earl were to be realized. The noble Earl said, that enlistment under the present system was very much like slavery for life; he, in fact, told the soldiers "you are soldiers for life." Now, he believed that such language coming from an individual holding the distinguished position of his noble Friend, would have a most injurious effect upon the discipline of the Army. But he did not believe that the Army believed the present service to be a sort of "slavery for life." He did not believe it. He did not say it disrespectfully—he meant he did not believe that the feeling in the Army was, or that the result would be, such as the noble Earl anticipated. He thought he had adverted to the three points which the noble Earl had placed before them, as to the want of popularity of the Army—as to the better class of men who would enter the Army under that Bill—and as to the advantage of having a population trained in the use of arms. He would say one word, and only one word, upon those remarks of his noble and gallant Friend whom he did not then see, who spoke with all the experience of an officer of very high character and very long service. He would wish to ask whence the desertion which he alluded to arose? Did they believe that desertion took place in consequence of the period of service which soldiers were then obliged to serve in the Army? Did desertion take place with the old men in the regiments? Why, it was notorious to every man who knew anything about regiments, that almost the whole of the desertion was from the recruits. He had a return from the British Army for the last eighteen years, which showed the greatest number of desertions that had taken place during any one year in that period to be 1,757. Of whom did they think that number of deserters was composed? Why, of the 1,757 who deserted, 1,177 men were recruits who deserted in the first year of their service, when they were sick of their new labours, and tired of learning their new profession; when they were disgusted with the constant drilling to which they were unaccustomed: 170 more of the whole number of deserters consisted of men who had not been two years in the service, and 109 of such as had been two or three years; and of the whole number there were only 212 who had been five years in the service. With such facts before them, let him ask what ground they had for supposing that desertion would be prevented by that Bill? He begged to call their attention to some of the duties which the soldier had to perform, and to the calls which they made upon them. There was no Army in the world that was subject in time of peace to one half of the labour and fatigue to which the British Army was subject. Two-thirds of that Army were constantly abroad, protecting their foreign possessions. It had been the anxious desire of successive Administrations so to divide the Army, that every soldier should be ten years abroad, and five years at home: during ten years out of fifteen, and, he might say, twelve years out of sixteen, the British soldier was subjected to every variety of life; and they told him by that Bill that he was to have a right of claiming his discharge at the expiration of ten years. Suppose that after he had served nine years at home, he was sent out to India or Canada, and circumstances should occur in the country to which they sent him which rendered it necessary that his discharge should be delayed: he claimed his discharge, and they refused it. He was angry; he got, perhaps, half drunk; he was in a state of excitement, he was one of their best men—in fact, it was on account of excellence that they retained him—he quitted their service, and took his knowledge, experience, and discipline over to the other Power, whom they had intended to overrule by his aid. It was said, that in case of peace the commanding officers would be empowered to retain a man one year more than the specified period of service, and two years in case of war, if they should deem it necessary. But what was war? The operations in China and other countries where they had recently had engagements, were not wars. What were the cases of emergency in which it would be lawful for commanding officers to retain their men longer than the ten or twelve years specified in that Bill? Suppose a soldier claimed his discharge after having served the specified period abroad, and the commanding officer, on the plea of "emergency," refused to grant him his discharge: the soldier might bring the question before a court of law in England, on the ground that he had been unjustly detained by his commanding officer; and a jury would have to try the question between the commanding officer and the soldier, whether there had been such a state of affairs in India as constituted an emergency, that would justify the commanding officer in detaining the soldier. He believed that the great bulk of the improvements in the condition of the soldier, for which the noble Earl took credit on the part of the civil Government of the country, had been wrung from successive Administrations by the repeated and constant applications of the commanding officers of the regiments. The noble Earl said, and his noble and gallant Friend also said, "I know the feeling of commanding officers; I know that they would do a great deal to keep a good man; but I think that it is a dangerous inducement to say to a man, 'You are known to be a good man, and means will be taken to secure your advancement.'" He felt that he had to apologize to their Lordships for presuming to give an opinion on this subject, or to trouble them with any observations on a question on which he had had no experience; but looking at the results of the regulations of 1806, he thought he might be permitted to express his opinion that the anticipations of the noble Earl would not be realized. He believed that all the arguments of the noble Earl about the improved comforts of the soldier, only furnished the strongest arguments against the measure; but, above all, he felt that if this great experiment was to be tried, the responsibility of trying it ought to rest with the Executive Government—with the constitutional advisers of the Crown. He entreated them not to let Parliament be forced to take a part in that unwise interference with the Army. He asked their Lordships not to take a part in that interference; or make themselves partners in a responsibility which did not properly belong to them. He called upon them, notwithstanding all the arguments in favour of the Bill—notwithstanding the speech of the noble and gallant Duke—he called upon them to say, "This responsibility shall rest with the advisers of the Crown," and to refuse to give their sanction to this most unnecessary and dangerous Bill.

The **Earl of HARDWICKE** begged their Lordships to pause before they determined to give their support to this measure, which he feared would prove prejudicial to the interests of the Army and the country generally. If their Lordships decided that this Bill, which related to the Army only, should be passed into a law, they might depend upon it that they would see a Bill introduced for the purpose of granting similar privileges to the marines. He therefore called upon their Lordships not to treat the subject lightly.

The **Marquess of LANSDOWNE** (who was very imperfectly heard), was understood to say that the Crown could not risk the responsibility of such a measure as the one before the House. He felt confident that the Bill was not liable to the objections made to it by the noble Lord (Lord Stanley). He was fully convinced that the measure now under the consideration of their Lordships would have the effect of popularising the Army, and of enlarging the field of selection. If the noble Duke near him (the Duke of Wellington) had made the remark imputed to him, "that he saw in the measure no inconsiderable degree of danger," he (the Marquess of Lansdowne) would most probably have withheld his assent to the measure. But, independent of the authority of the noble Duke in support of the measure, the Government had the benefit of experience in their favour. A considerable portion of the Army in Canada were entitled to their discharge, and many others would be so in the course of a short time; but he had been informed by an officer who had recently returned from that country that although desertion had formerly been very common, not one of those soldiers who had now the prospect of being discharged had deserted. He believed that the alteration proposed would so much improve the service, that men would afterwards enter with the consent of those who were the most near and dear to him.

Lord BROUGHAM said, that he should not trouble their Lordships at any great length, on account of the fatigue which he had suffered from attendance to the judicial business. Many of their Lordships had been in the House since five and six o'clock; but he himself had been there since ten o'clock in the morning, and was now thoroughly worn out by business and want of sustenance. Although he complained of want of sustenance, he had to admit that he had been sustained and edified, as well as amused, by the able speeches he had heard; but he laboured under a want of that sustenance which one generally expected after thirteen hours' work. He would fain not enter into the present debate at all, seeing that he had no military knowledge or experience to make his observations carry any weight, and upon that account he would willingly have dispensed with making any observations; but still he felt he was bound to state his view of the measure before their Lordships. He must say that he was more alarmed than he could well express at the measure before the House. At the same time he felt bound to say, that if he could believe the measure was heartily approved, or even really sanctioned by the noble Duke (the Duke of Wellington), the highest of all authority on such a subject; if he could believe that the Government had brought it forward on the recommendation of the Commander-in-Chief, then he should feel not only diffidence but shame in setting up his opinion or stating his fears against that noble Duke's transcendent authority. But in point of fact, the Commander-in-Chief never recommended the proceeding; the Commander-in-Chief was the last man in England who would have made such a recommendation; and if there was any man who could, before this night, have supposed there was a possibility of his giving such an advice—if there was any man who had so far forgot his noble Friend's usual circumspection, which was so large, and his sagacity, which was so great, and his providence, which was so safe—and no one who knew the sagacity, the circumspection, and providence of his noble Friend, could entertain a doubt that he never could have proposed such a measure; but let any such man, if such there was, cast his recollection back upon the last hour or so of the debate, and remember the manner in which his noble Friend lent his support—he would not say his sparing, parsimonious, stingy, support—but he would only say his most moderate support, to this measure, accompanied by his reasons, which told all against it, and then believe, if he could, that the measure could have been recommended by his noble Friend. They must have observed the warning which he gave; that warning went to guard his own consistency, which needed no defending, and his wisdom, which needed no protection—the warning which he gave Government as to the proceedings they were now taking. He (Lord Brougham) never could forget what this reminded him of, having read under the noble Duke's own hand his reply to a gentleman who had asked for materials to write a history of the battle of Waterloo. The noble Duke said—"If you wish it, I will give you the information; but my advice is, leave the battle of Waterloo alone." Now, his (Lord Brougham's) advice was, "leave the English Army alone." It was the best Army, he believed sincerely, the best composed, the best trained, and the best commanded Army in Europe or the world, or that the world ever saw or was likely ever to see again. The noble Duke had given them a most solemn answer to the question that had been raised as to the danger of the measure. It went to the heart of every one who heard it; and it awakened the suspicions and aroused the fears of many. The fears which were awakened had reference to disastrous possibilities which might happen; possibilities only, if you will, but that was quite enough for him. He was not bound to show ruin and destruction as flowing from this measure, or from any other charge. But the bare possibility of injury to the Army, that Army which the noble Duke had led on to conquest—and such an Army! the possibility, and the not remote possibility, of mischief accruing to it, was enough to excite fear and alarm. What the noble Duke had said, and his elaborate and earnest manner of saying it, respecting the "old soldiers," who were the strength and heart of the Army, was enough to awaken his suspicions not only as to the consequences of this measure, but as to the Duke's original opinion of it. He concluded that the reason why the Bill was not made retrospective was perfectly evident—the promoters of the measure did not wish to lose the services of the old soldiers, but also they durst not encounter the opposition of the noble Duke. The speech of the noble Mover, and the speech of his noble Friend who last addressed the House, furnished that opposition of one argument to another, that self-destructive array of diverging reasons, which usually left the hearer incapable of saying which side was the stronger. The noble Duke's speech was plainly made against another Bill; it was directed against the Bill as at first framed, and that Bill no longer existed. It had been changed to escape the noble Duke's opposition; but he delivered his speech all the same. There was the greatest inconsistency in the statements which had been made in favour of the Bill; and the Bill itself was full of contradictions. The object was, as it had been expressed, to popularize the Army; and the effect would be to leave the inducements to entering it just as they stood. It was a delusion to suppose that such a measure would facilitate the recruiting service. It was now always in the power of the Commander-in-Chief to issue a prohibitory order, preventing any enlistment except for limited service; and this was, in effect, an Act for removing the power and option, and prohibiting the Crown from enlisting except for limited periods. This interference was most injudicious and most dangerous. They fixed periods of ten years and twelve years for the enlistment; but if a recruit was guilty of bad conduct then, to raise the character of the service, he was dismissed at once. Was not this an inconsistency—was not this favouring the bad soldier? He (Lord Brougham) disliked all interference between the Crown and the soldier; and he must disapprove of every measure which went to restrain the power of the Crown in dealing with enlistments, for all such measures necessarily placed the Army and the Crown in a most invidious and perilous posture towards each other. The Bill was likely to produce the greatest discontent among those 27,000 men whose enlistment was for an unlimited time; it would proclaim to all those men that the service was one to be avoided, and that they suffered the severest hardship in not being at once liberated from their engagements. There was not a word which had been said in that House that night which would not be the subject of conversation in every canteen in England; and was it to be thought that discontent would not be produced in our colonies, especially among the native troops in India, when it became known that every speaker, on every side, in their Lordships' House had declared that the Army was ill treated, and that the pensions which were received after long service were altogether inadequate as a reward for the duty already performed, and the duty still expected to be done? He did not blame noble Lords for having expressed that opinion; it was the inevitable result of the debate. His late Friend, Mr. Windham, had a notion—at the time it was called a crotchet, but now it might be called a notion—that the country and the service would be gainers by enlistments being made limited: that notion was not shared in by any of the noble Lords opposite who were then in the Ministry; and the notion was pursued altogether contrary to the views and wishes he would not say of every one of Mr. Windham's Colleagues, but certainly of all their supporters, who all were sick of his crotchets. For these reasons, holding that the Bill was absolutely useless, needless, superfluous; holding that it would do harm instead of good; holding, even by the admission of its promoters and authors, that it was only to do that by statute which it was now in the power of the Crown to do without statute, he felt himself bound to give to it his most strenuous and firm opposition.

Earl GREY would trouble their Lordships with a few words in reply. He was well aware of the distinguished talents of the noble and learned Lord (Lord Brougham); he was well aware of the noble and learned Lord's command of language and power of expressing himself, so marvellous to the listener and to the hearer: but he was also aware, and he did not learn the fact now for the first time, that the noble and learned Lord never displayed his abilities more astonishingly than when dealing in romance; and much of the reasoning of the noble and learned Lord on this occasion was based on romance. The statement made by the noble and learned Lord in reference to the proposition of Mr. Windham, was not only not accurate, but directly the reverse of the fact. The noble and learned Lord impressed on them the expediency of leaving the British Army alone. Why, that advice might have been given with as much reason preliminary to the adoption of any of the improvements which had been effected during the last ten years; and, strange to say, that advice on every occasion had been given by the noble and learned Lord himself. But the noble and learned Lord had himself given him a justification. In June, 1811, the noble and learned Lord made a speech against flogging in the Army; he did not then say, "Let the Army alone!" But in the general tissue of error of which the noble and learned Lord's speech that night was composed, he did think he would have contrived to be right on a point of law. The noble and learned Lord said they had no business to effect the change by Act of Parliament; why did they not do it by the Royal prerogative? This was very remarkable; for the noble and learned Lord had recently found extreme fault with the Government for taking on itself to issue an Order in Council in a matter in which Parliament distinctly authorized it to do so. But he could further inform the noble and learned Lord (and it was remarkable he should be ignorant of it), that, in time of peace, the Crown had no power to enlist troops except by virtue of an Act of Parliament. One of the earliest measures of the Revolution was a declaration that the maintenance of a standing Army in time of peace, otherwise than with the consent of Parliament, was contrary to law. In time of peace, the Crown could not enlist one man, except under the Mutiny Act, and as that Act provided; and if the House did not pass the present Bill, men would not be raised for ten years' service. Instead of being unnecessary, it was absolutely required. The Mutiny Act, though passed every Session, was not generally printed. What would the noble and learned Lord have said, had the Government altered the schedules of the Mutiny Act, of which no one would have been aware till it received the Royal Assent? Would that have been proper? Was it not the fairer course to come down to Parliament boldly, stating the purpose of changing the law, and explaining the grounds on which they asked their Lordships to consent to it? He would only allude to one other point that had been mentioned by the noble and learned Lord, and other noble Lords who had addressed the House. He (Earl Grey) had been misrepresented as having described the state of the British soldiery as one of slavery. Nothing could be more inconsistent with what he really said; he had argued that, practically, they did not retain men in the Army for life. He had shown that men with good-conduct marks could obtain their discharge after twelve years' service, and without those marks at the end of fifteen years. He showed that this privilege of obtaining a discharge was not used to any considerable extent; and his argument on that was, if the longer service was voluntary, was it good policy to keep up a law which made it apparently a system of slavery and compulsion? They ought to make the law correspond with the practice. Men did not stay in the Army beyond those terms by force, but because it presented an advantageous career. He had contended, that changing the law would have a good effect on the relations of those young men who might enlist; at present the great objection in their minds was, that a young man was contracting an engagement for life. At the present moment there were nearly 27,000 men in the Army who might have their discharges by asking for them.

Lord BROUGHAM explained what he stated of Mr. Windham's measure to be this—that it was regarded as injurious to the Government by the friends of the Ministers, not by Mr. Windham's Colleagues. But he found he had understated the case; a noble Friend sitting near him informed him that a person then holding a high office, speaking of the measure, used this somewhat coarse phrase, "We must get rid of this man and his plans together." He would give the name of this person to the noble Marquess opposite, and he would understand the likelihood of such an expression having been used.

Their Lordships divided:—Contents, present 64; Proxies 44: 108:—Not content, 53; Proxies 41: 94:—Majority 14.

List of the Contents.

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DUKES.
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Bedford
Wellington.
MARQUESSES.
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Anglesey
Clanricarde
Westmeath
Headford
Northampton.
EARLS.
Clarendon
Burlington
Auckland
Minto
Morley
Yarborough
Grey
Fitzwilliam
Jersey
Galloway
Powis
Granville
Lovelace
Devon
Cowper
Zetland
Effingham
Camperdown
Fortescue
Waldegrave
Suffolk and Berkshire
Ilchester
Ellesmere
Dalhousie
St. Germans
Bruce.
VISCOUNT.
Falkland.
BISHOPS.
St. Asaph
Worcester
Durham
Salisbury.
BARONS.
Strafford
Foley
Camoys
Campbell
Erskine
Wrottesley
Monteagle of Brandon
Colborne
Sudeley
Glenelg
De Freyne
Byron
Dacre
Montfort
Teynham
De Mauley
Denman
Leigh
Beaumont
Carrington
Churchill
Wharncliffe
Lyttleton.

Proxies.

DUKES.
Norfolk
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Devonshire
Leeds
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MARQUESSES.
Normanby
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EARLS.
Albemarle
Carlisle
Thanet
Scarborough
Gosford
Fitzhardinge.
VISCOUNTS.
Ponsonby
Torrington.
LORDS.
Audley
Kingston
Methuen
Kilmarnock
Abercromby
Poltimore
Lismore
Oxenford
Mostyn
Hamilton
Dinorben
Furnival
Lovat
Morson
Plunket
Stuart de Decies
Rossmore
Howden
Boyle
Oriel
Stanley of Alderley
Dunally
Lurgan
Ponsonby
Wenlock
Dormer
Stafford
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List of the Non-contents.

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Malmesbury
Cardigan
Ranfurly
Egmont
Lucan
Munster
Kinnoul
Somers
Ellenborough
Stradbroke
Orkney
Leven and Melville
Longford
Hardwicke
Sheffield

Limerick
Lonsdale
Desart
Harewood
Romney
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VISCOUNTS.

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Redesdale
Kenyon
Bolton
Rodney
Wynford
Colville
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Sondes
De Ros
Ashburton
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Blaney
Gray
Templemore
Colchester
Saltoun
Tenterden
Feversham
Southampton
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Proxies.

DUKES.

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Portland
Rutland.

MARQUESSES.

Waterford
Ailesbury
Londonderry.

EARLS.

Mayo
Airlie
Abingdon
Beverley
Camaroon
Mansfield
Macclesfield
Ferrers
Moray
Delawarr
Sandwich
Erne
Donoughmore
Brooke and Warwick
Stanhope
Mountcashel
Nelson
Chesterfield

VISCOUNTS.

Hill
Doneraile
Exmouth
Lake
Canterbury

LORDS.

Ravensworth
Skelmersdale
Polworth
Farnham
Carlton
St. John
Willoughby de Broke
De Vesci
Crofton
Alvanley
Sinclair
Grantley.

Paired off.

CONTENT.	NOT-CONTENT.
Earl of Leicester	Earl of Lauderdale
Earl Spencer	Earl of Charville
Earl of Radnor	Lord Walsingham
Earl Ducie	Marquess of Salisbury
Lord Beauvale	Lord Gardner
Lord Crewe	Lord De Lisle
Lord Langdale	Lord Willoughby de Eresby
Marq. of Conyngham	Viscount Strangford
Earl of Fingal	Duke of Montrose
Marquess of Donegal	Lord Boston

Bill read a second time.

House adjourned.

HOUSE OF COMMONS,

Monday, April 26, 1847.

MINUTES.] PUBLIC BILLS.—1° Drainage of Lands (Scotland); Police Clauses; Passengers Act Amendment; Cemeteries Clauses.

2° Landed Property Improvement (Ireland); Transference of Lands (Scotland); Heritable Securities for Debt (Scotland); Burgage Tenure (Scotland.)

Reported.—Registering Births, &c. (Scotland); Marriage (Scotland); Service of Heirs (Scotland.)

3° and passed:—Lunatic Asylums.

PETITIONS PRESENTED. By Mr. Barnard, from Greenwich, for Alteration of the Law respecting the Registration of Voters.—By Lord E. Hill, from Clergy of the Diocese of Dromore, for Improvement of Glebe Lands (Ireland.)—By Mr. Hume, from Derbyshire, for Discontinuance of the Regium Donum.—By Mr. Hutt, from Stella, in favour of the Roman Catholic Relief Bill.—From Bath, for Inquiry respecting the Rajah of Sattara.—By several hon. Members, from Bradford and other places, for Repeal of the Anatomy Act.—By Mr. O. Duncombe, from Romaldkirk (Yorkshire), for Alteration of the Commons Inclosure Act.—By several hon. Members, from a great many places, against the proposed Plan of Education.—By several hon. Members, from numerous places, in favour of the proposed Plan of Education.—By Viscount Palmerston, from Factory Workers of Tyldesley, for the Ten Hours Factories Bill.—By Mr. Divett, from Heavitree, against the Health of Towns Bill.—By Lord E. Bruce and other hon. Members, from several places, in favour of the Health of Towns Bill.—By Mr. Bateson, from Coleraine, and Mr. S. Crawford, from Donagh, for Alteration of the Law of Landlord and Tenant (Ireland.)—By Lord G. Bentinck, from Arthur Richardson Slack, of Springfort, near Balliconnell, for Alteration of the Law respecting Leasehold Property.—By Sir H. Douglas, from Liverpool, and Mr. Hudson, from Shipowners of the Tyne, against Repeal of the Navigation Laws.—By Sir De L. Evans, from James Donovan, Pensioner, for Inquiry.—By M. Colvile, from Guardians of the Poor of the Ashbourn Union, for an Efficient Poor Law (Ireland.)—By Mr. Christopher, from Poor Law Officers, for a Superannuation Fund.—By Colonel Rawdon, from Guardians of the Poor of the Castleblaney Union, in favour of the Poor Rates (Ireland) Bill.—By Mr. S. Crawford and Mr. M. J. O'Connell, from several places, against the Introduction of a certain Clause into the Poor Relief (Ireland) Bill.—By Mr. Hume, from Ballinacurra and Midleton, in favour of the Ports, Harbours, &c. (1846) Bill.—By Lord G. Bentinck and Mr. M. J. O'Connell, from several places, in favour of the Railways (Ireland) Bill.—By several hon. Members, from a great many places, against the Registering of Births, &c. (Scotland) Bill, and the Marriage (Scotland) Bill.—By Mr. J. Fielden, from Manchester, and Captain Rushout, from Guardians of the Poor of the Winchcombe Union, for Alteration of the Law of Settlement.—By Mr. Wakley, from Mary Younge, of Fincham (Norfolk), complaining of the Rev. John Howman.—By Mr. R. Hodgson, from the Rev. John Howman, of Bexwell, refuting the Charges made against him by Mary Younge.

REGISTERING BIRTHS AND MARRIAGES (SCOTLAND) BILLS.

SIR A. L. HAY asked the Lord Advocate whether it was his intention to proceed at once with the Registering Births Bill and the Marriage Bill for Scotland? Whether he proposed to alter or to expunge the 12th Clause of the former measure? And if he so proposed to alter such clause, what the nature of that alteration was to be?

The LORD ADVOCATE said, that it was not his intention to insist on the retention of the 12th Clause. He, however, thought, that the grounds of the objections urged against it were misrepresented. He doubted much whether the interest of the schoolmasters was understood by the opposition that was now raised to this clause. With respect to the Marriage Bill, he had to state in a single word that it was his intention to proceed with that Bill as it stood upon the Paper. He thought that the amendment in the law, in respect to the marriages that shall hereafter be contracted in Scotland, should be effected in this way—in the first place, by the solemnization of the clergyman; or, in the second place, by registration. Objections had been stated to the measure in different quarters; he should, therefore, propose to introduce Amendments into the measure, which he otherwise should hardly have ventured upon. He proposed to introduce certain provisions in reference to the residences of the parties, and in reference to the notices to be given of registration. He hoped that his noble Friend near him would consent to permit this Bill to go into Commitee *pro formâ* before the other business of the evening was proceeded with, in order that the House might receive those Amendments referred to. If this proposition were acceded to, the Bills could be sent down to Scotland in time for those meetings that were to take place on the subject in the different counties in the course of the week.

Mr. HUME expressed a hope that the hon. and learned Gentleman would also introduce some alterations into the Registration Bill.

In answer to a question from Sir R. H. INGLIS,

The LORD ADVOCATE said, that his object was, by the proposition he had made, to give the different counties of Scotland an opportunity of expressing their opinions upon the subject before they proceeded with the further stages of the measure.

Sir G. CLERK thought there could be no objection to the course proposed.

EMIGRANTS TO THE UNITED STATES.

Lord G. BENTINCK wished to ask a question of his noble Friend regarding emigrants to the United States. He had, on a former occasion, brought this subject under the noble Lord's attention; but it appeared that there was not then any information received upon the subject. He understood the Bills to which he had before referred, as being under the consideration of the Legislatures in New York and Massachusetts, had since become law. The effect of them was this, that every shipowner taking out Irish emigrants to New York was obliged to enter into his bond in the amount of 100 dollars, that such emigrants should not become chargeable to the State of New York within a period of five years; whilst to Massachusetts the shipowners would be obliged to give their bond in 1,000 dollars, that no emigrant should become a pauper of that State within a period of ten years. He understood that the effect of this law would be to drive all these paupers into the Canadas. He begged to ask his noble Friend to give the House such information as he had received on this subject, and to state whether any provision had been made for the reception of the Irish emigrants in the North American colonies, so that they might not be exposed to great distress?

Lord J. RUSSELL had not heard of the passing of the Bills to which the noble Lord had referred. But he knew that such Bills were under the consideration of the New York and Massachusetts Governments; and the effect of them would be to require security from shipowners having vessels freighted for either New York or Boston, that any pauper passengers would not be left destitute and chargeable to the Government. He had applied on the subject to the American Minister here; and the Minister told him that he did not think that emigrants going to New York or Boston would be refused the freedom of remaining there, or the protection of the laws of the country in the same manner as heretofore. But the law was stringent in regard to shipowners and masters of ships. The effect would be, that shipowners would not send ships to the United States with emigrants; and emigrants would be deterred from going, and would go instead to Canada. The Government had given a larger addition to the grant for emigrants than any former year, both for the purpose of taking care of the settlers, and of forwarding them into the interior of the country. It appeared to him to be a matter of serious consideration whether there would, on this account, be a greater tide of emigration to Canada, and whether it would be necessary to propose any further steps in respect to the matter.

SUPPLY—GOVERNMENT PLAN OF EDUCATION—REPORT.

Lord J. RUSSELL: In moving the Order of the Day for bringing up the Report of the Committee of Supply, I wish, in the first place, to explain a matter personal to myself, upon which a statement has been made by an hon. Friend of mine in this House on a former night. The hon. Member for Carlisle said, that on the 14th or 15th of this month an application was made to me on the part of the Catholic bishops, who were anxious to see me before the 19th instant, in order to make some statement, but that I declined to grant an interview before the 19th, As I should be very sorry to be supposed to be guilty of any want of courtesy towards the Roman Catholic bishops, I will state exactly what occurred as to this matter. On Saturday, the 17th, after the meeting of the Cabinet Council, and when I was about to pass the Sunday a few miles out of town, and carry with me a large bundle of pamphlets on education, I received this letter:—

> "Bishop Griffiths presents his respectful compliments to Lord John Russell, and requests the honour of an interview of three Catholic bishops as a deputation of the Catholic bishops residing in England now assembled in London, on the subject of the education of the children of poor Catholics. Bishop Griffiths requests this interview before the introduction of any measure on the subject.
>
> "Golden Square, April 17th, 1847."

I certainly understood the letter to allude to the subject of the education of the children of poor Catholics, and having to meet my right hon. Friend the Chancellor of the Exchequer early on Monday with respect to a subject connected with the finances of the country, and having to state on Monday afternoon the measure of education proposed, I did not think it absolutely necessary that I should see the Roman Catholic bishops upon the subject, either on the Sunday or on Monday morning; and, indeed, it is quite obvious that if I had done so I could not have assembled the Committee of Privy Council to make different arrangements as to the measure to be brought forward; therefore, I wrote, as the hon. Member for Carlisle says—

> "Lord John Russell presents his compliments to Bishop Griffiths, and will name a day, to receive the deputation of the Catholic bishops, before the introduction of any measure."

I conceived that I was giving an answer to this letter of Bishop Griffiths, which I received on the evening of the 17th; that if it was intended that any measure with regard to the education of the poor Catholics should be considered, that they should state their views upon the subject before any such measure should be introduced. I intended, and do still intend, to see either Bishop Griffiths or any other Catholic bishop who may wish to see me on the subject. Having stated thus much with regard to a matter entirely personal, I beg leave only to say, in moving the Order of the Day, that I hope I have made it fully understood that there is no intention whatever of excluding the Catholics from the benefit of the grant for the purposes of education; but, at the same time, we think it necessary to have fresh Minutes upon the subject, and to consider the subject very carefully; and I will mention one reason among many other reasons. We have declared that we do not think it right that any clergyman of the Church of England, either in priest's orders or deacon's orders, should, in the capacity of a schoolmaster, receive any part of this grant; that it would be maintaining a part of the Ecclesiastical Establishment under the name of a grant for education. If we do so, it is obvious we must take care that in any grant with regard to Catholics, no person in holy orders, either as secular or regular clergy of the Church of Rome, should be paid as schoolmasters under that grant. It would obviously not be right to do for the Roman Catholics that which you refuse to do for the Church of England; but I understand there are cases of Roman Catholics—Christian Brethren—who are not in holy orders, and who very much undertake the business of education, and are extremely useful in the schools of poor Catholics. That is a matter which will require a good deal of consideration, and any Minutes on this subject must be framed with care. Whether we shall be able to frame the Minutes in a very short time, or whether it may not be necessary to have some inspection and some report as to the Catholic schools before we do so, I cannot at the present time state. I only beg to assure the House, that, as far as we are concerned, we have no intention whatever of excluding Roman Catholics; and I think the grants for education ought to be made as useful as possible for all classes.

Sir G. CLERK observed, that some misapprehension had arisen in some parts of Scotland, as to how far the parochial schools there would derive any benefit from this system. He wished to know, therefore, first, whether parochial schoolmasters, properly qualified, would be entitled to receive pupil-teachers, and whether the parochial schoolmasters would derive any gratuity from the instruction; secondly, whether, as the salary provided by law for parochial schoolmasters in Scotland was extremely small, those persons being also duly qualified, would be entitled to receive an addition to the salary they at present received; and, thirdly, whether parochial schoolmasters, after length of service, would be entitled to retiring pensions?

Lord J. RUSSELL: This is a ques- which has not been submitted to the Committee of Privy Council; and, therefore, any answer I make will only convey my own impression. It is the intention of the grant that aid should be given in support of voluntary societies and contributions; therefore I conceive that schoolmasters who have stipends by law will not be entitled to derive aid from this grant. If it is proper to increase the stipends of Scotch schoolmasters, and give retiring allowances, it ought to be done by another grant.

Report brought up.

On the Question, that the Resolution of the Committee be read a Second Time,

Sir W. MOLESWORTH said: The noble Lord forgot to read the concluding passage of his letter to Bishop Griffiths:—

> "Her Majesty's Ministers, however, have no intention of promulgating new Minutes of Council upon the subject at present."

Before I introduce the Amendment of which I have given notice, I may state that I have received a petition from Manchester emanating from a public meeting of Catholics held in that town. The petitioners state that they have heard with the strongest feelings of regret, that, in order to exclude the Roman Catholics of this kingdom from a participation in the Government grant, a religious test has been introduced which they cannot accede to; and the petitioners, therefore, humbly pray that they may be admitted without such test to a just share in the grant. With the permission of the House I will now read the resolution of which I have given notice, and will state my reasons for so doing. I trust no objection will be taken to the occasion which I have selected for this resolution. It must be borne in mind that the measure of the Government has not been introduced in the shape of a Bill; therefore, I have no other means of attempting to amend what appears to me to be a defect in the measure. I expect, therefore, that the Government will consent fairly to meet my resolution as if it were an amendment to a clause in a Bill for aiding education. In moving such an Amendment I am actuated by no feeling of hostility or dislike to the Government measure; for, from the commencement of the agitation upon this question, I have felt it my duty to take a decided part in favour of that measure; and it is well known that for persons who represent large and popular town constituencies, the real battle has been without, and not within, the walls of this House. It has happened to me, as to other hon. Members, to have been called upon by some of my influential constituents to oppose any interference of the State in the education of the people, and especially to oppose the Government measure for that purpose. My answer always has been a direct and unqualified negative. I said that I had been and always should be favourable to a system of national education; that I should support the measure of the Government, not as a comprehensive measure of national education, but as another step in a right direction. The first step had been to assist in building schools; the second, to acquire some inspection over those schools; the present step was to raise the qualifications and position of schoolmasters—and good schools, good schoolmasters, and good inspectors, were among the elements of a good system of education. I did not deny that objections might be raised to some of the details of the measure; but I considered that on the whole the measure was a fair one; that it showed no preference for any sect; that if the Church of England, or any other sect, should obtain a larger proportionate share of public money, it would be in consequence of their voluntary exertions, and their greater zeal in the cause of the education of the people. I said this in the full belief that all sects of Christians would be equally entitled to participate in the proposed grant of public money. It was with great grief, therefore, that I found that I had both deceived myself and deceived others. Now, the object of my resolution is to make the Government measure what most persons believed it to be, and to enable Roman Catholics to participate in any Parliamentary grant for the purposes of education. This proposition seems to me so evidently a fair one, that I am almost at a loss to conceive what objections can be raised to it. It may, however, be said that Roman Catholics do not require grants for purposes of education; and it has been said that they have made no applications for such grants. A very few persons in this House—more in proportion out of the House—will declare that Roman Catholics, as such, should be excluded from all Parliamentary grants for education. But the objections which I expect will be chiefly urged will be, that this is not the proper time nor the proper form for such a Motion as that I am now submitting to the House. I will consider each of the objections separately. First, it may be said that Roman Catholics do not require assistance. On the contrary, I am inclined to think that no portion of our labouring population so much requires assistance. Let the House only consider the condition of the Roman Catholic population in our large commercial and manufacturing towns, and how destitute they must be of the means of educating their children. Take, for instance, Manchester. I will quote the highest authority, in the right hon. Baronet the Member for Tamworth:—

> "I take the population of Manchester (said the right hon. Baronet.) I believe there is a district in Manchester called 'the Irish town,' so great is the number of the Irish population there. I am told that it contains no less than 60,000 or 70,000 Irish inhabitants. What passes in Manchester with respect to them? They go there distinguished generally by their industry. They afford to the wealthy manufacturers of Manchester the advantages of their labour and their numbers; yet they have no natural protectors. There are no wealthy Roman Catholics immediately connected with Manchester who have a regard for their spiritual welfare, and there is no one with means ample enough to superintend their education. How, then, is the education of these 60,000 or 70,000 of the poorest classes to be provided for? They have their priests, no doubt, to attend to them; but I apprehend the means of the priests to provide a perfect system of education are extremely limited. Is it for the advantage of the State that these 60,000 or 70,000 persons should be brought up in ignorance or vice? I confess I cannot conceive a more urgent case, not so far merely as the intellectual advantage of the Roman Catholic is concerned; but if there be any truth in our principles, that the true remedy against barbarism, against crime, and against degradation of character is instruction—and upon that principle we appear to be all agreed, and all disposed to support this vote—if, I say, there be any truth in this principle, is it not for the advantage of the Protestant community that these Roman Catholic children should not be immersed in ignorance? So far as their position is concerned, I can conceive no stronger claim upon a provident and parental Government than to pay some attention to their situation."

It has been asserted, and some stress has been laid upon the assertion, that no distinct application has been made to the Committee of Council on Education on behalf of the Catholics. If no application has been made, it would have been no matter for wonder; because up to the period of the Minutes of last year the rule was, that grants should only be made to schools connected with the National and British and Foreign School Societies, except under very special circumstances. But it so happened that applications were made, under circumstances which were considered to be very special; namely, the extreme poverty of the applicants, combined with their willingness to contribute their pence and halfpence for purposes of education. These applications were first made on the 15th of June, 1846, by Mr. Langdale, acting under the sanction of the Catholic vicars-apostolic of England and Wales, to the right hon. Baronet opposite. The right hon. Baronet left office so soon after this application, that he had not time to take it into his consideration. Mr. Langdale renewed his application to the noble Lord the Member for London. The noble Lord replied on the 20th of August last, that he would refer the subject to the Committee of Council. Mr. Langdale then wrote to the Lord President of the Council, and the Lord President promised to give the subject his mature consideration. On the 23rd of January, Mr. Langdale applied again to the Lord President for the result of his consideration. He stated, schools were in course of erection; the districts in which they were being erected were excessively poor, and therefore had every claim for assistance. On the 8th of February, Mr. Shuttleworth answered—

> "That he was directed by his Lordship to say, that he will bring under the consideration of the Committee of Council on Education any application (accompanied with all requisite particulars) which may be made for assistance towards the erection of Roman Catholic as well as other schools. Their Lordships may thus be enabled, upon a careful examination of the constitution of the school, to determine whether under their present Minutes they can grant assistance."

Mr. Langdale immediately applied for a Parliamentary grant towards the erection of Roman Catholic schools in the town of Blackburn. The noble Lord the Member for the West Riding of Yorkshire has therefore been misinformed, when he said that Catholic applications had never assumed a distinct form. The answer of Mr. Shuttleworth, dated February 18, requires further information with regard to the proposed schools, the system of religious instruction to be pursued, and the admission of children of Protestant parents. This letter was considered of so much importance, that it was referred to the assembly of Catholic bishops which took place in the beginning of this month. Their answer to it expressed their readiness to admit Protestant children on the fairest terms; and the whole tenor of their letter shows their willingness to accept the assistance of the Government, and their belief that they were going to receive that assistance. This answer was transmitted by Mr. Langdale to Mr. Shuttleworth on the 14th instant; but on the 16th, Mr. Shuttleworth brings the negotiation suddenly to a close, by referring to that portion of the Minutes of the Committee of Council of December 3, 1839, which requires in all schools receiving assistance that "a portion of Scriptures should be daily read;" and this, according to Mr. Shuttleworth's version, means "the entire Bible in the authorized version," and therefore excludes all Roman Catholics from a participation in any Parliamentary grant. The next day the noble Lord the Member for the city of London, in replying to an application for an interview on the part of some of the Roman Catholic bishops, stated that Her Majesty's Ministers had no immediate intention of promulgating Minutes of the Privy Council on the subject of the education of the children of poor Catholics. This unexpected result has certainly produced considerable, and I must say not unjust, discontent in the minds of many of the Roman Catholics. At a meeting a few days ago, at which eight Catholic bishops and some of the most influential Catholics in England were present, with Lord Shrewsbury in the chair, a resolution most condemnatory of the conduct of the Government was passed. I have once read that resolution to the House. It speaks in such harsh terms of the Government, that I had rather not read it again. I will only say that the belief prevails among many persons that the interests of the Catholics have been sacrificed to please the Wesleyans. After the declarations of the noble Lord the Member for the West Riding of Yorkshire, and the right hon. Baronet the Member for Devonport—after the assurances of the noble Lord the Member for London, I will consider that belief to be without foundation; but I must say that great errors of judgment have been committed—that a grievous injustice is being done to the Roman Catholics—and that they are grossly insulted by this exclusion. I have now shown that the Roman Catholics of this country stand in the greatest need of assistance from the State for the education of their children—that they have earnestly solicited it, and are willing to receive it on any fair terms. But, Sir, in my opinion, it matters not whether they do or no not require it, whether they have or have not applied for it. The real question is one of principle. The question is, are there any grounds which would justify the State in drawing a distinction between Catholics and other sects of Christians? Every hon. Gentleman who has spoken in the course of these debates, with one solitary exception, has held that such grounds do not exist. I am afraid, however, there are others besides him in this House, and more out of doors, who would refuse Parliamentary aid for the education of Catholics. I cannot understand the feelings of these Gentlemen. I can understand the feelings of the slave-owner of the southern States of America, who denies education to his slave, and subjects to frightful punishments those who attempt to instruct them; for his life and his property are at stake, and depend upon the ignorance of the human brutes that surround him. I can understand the feelings of the earnest bigot, who believes that all who depart from his religious faith are certain of eternal damnation, and thence logically infers that there is no amount of human suffering and misery which may not be justly inflicted on the mere chance of saving one soul from an eternity of hell. I can enter into the feelings of our great forefathers, who beheld in the contest between Protestants and Papists a mighty effort to shake off the trammels of authority, to establish the right of free inquiry, and to lay the foundations of civil and religious liberty. They hated Papists as the enemies of the human race, and slew them as such. I can understand a wise ruler and statesman like Cromwell deliberately entertaining the project of destroying the Catholic population of Ireland. And if I had lived in those times, without doubt I should have been as bigoted as my forefathers, as imbued with the same fierce hatred and cruel intolerance of Papitss. But I cannot understand those feelings at the present day, when Catholicism and Protestantism have ceased to be the respective symbols of despotism and liberty—when one of the most enlightened potentates on the face of the earth sits in the chair of St. Peter—I cannot understand, when the State has bestowed the elective franchise upon Catholics—when it has permitted them to sit as legislators in both Houses of Parliament—allowed them to fill some of the most important offices of Government—in short, admitted them to all the highest rights and privileges of citizenship—I cannot understand upon what grounds it can deny them minor rights and privileges, and exclude them from a share of the funds devoted to national education. It is acknowledged on all hands that ignorance is the prolific parent of vice and crime—education the only remedy. But does vice, does crime, cease to be noxious to the State when it is the vice and the crime of Catholics? Do you fear the influence of the Catholic priest? Education is the best antidote to priestcraft of every kind. What then do we dread? I know not. I repeat, therefore, that the Roman Catholics of this country do require the assistance of the State—that they have earnestly sought for it, would thankfully accept it, and ought to have it. I doubt whether any hon. Gentleman will controvert this position. What objections, then, will be raised to my resolution? I suppose the usual ones, that this is not the proper form for such a Motion; that this is not the proper occasion for bringing it under the consideration of the House. It is my opinion the fittest opportunity—for we are about to commence a new system. That system is described by the right hon. Gentleman the Member for Edinburgh in the following terms—" There cannot be a system of more impartiality in principle, and it is also one of perfect impartiality in practice." In his peroration he appeals to future ages, " which, while enjoying all the blessings of a just and efficient system of State education, will look back with astonishment to the opposition which the introduction of that system encountered; and will be still more astonished that such resistance was offered in the name of civil and religious freedom." I think future ages would be most of all astonished, if after reading the unrivalled speech of that right hon. Gentleman, they could be persuaded that under this perfectly impartial system 800,000 individuals of the most ancient, renowned, and numerous sect of Christians were excluded; but nothing will persuade them of the fact, for the rest of the debate will perish, and the speech of the right hon. Gentleman contains no allusion to the Roman Catholics. Can there be a stronger argument against their exclusion? The ablest rhetorician in the House dare not allude to it. My resolution, if carried, will make his measure an impartial one, which it is not. The noble Lord the Member for the city of London was of a very different opinion from that of his right hon. Colleague. With him it is not the introduction of a system which will deserve the gratitude of ages; it is merely the repetition of a grant, the principle of which has been annually conceded without opposition since 1839. Now, I am quite of a contrary opinion. I agree entirely with the right hon. Baronet the Member for Tamworth, that there is a great alteration in the principle of the grant. The first Parliamentary grant for education was in 1833. It was not a general grant for the building of schools, but a special grant to the National, and British and Foreign School Societies, to assist them in building schools. It was like many grants in the miscellaneous estimates, in which money is given to institutions of a useful public character, the benefits of which are confined to a limited portion of the community. In 1839 the rule of confining the grant to schools connected with the National, and British and Foreign School Societies, was not changed; but it was provided that in special cases it might be departed from. Now, however, the rule is entirely changed —the grant is to all sects of Christians, with the single exception of the Catholics. The Catholics had no especial right to complain, so long as other sects besides themselves—the Wesleyans for example—were excluded, and as long as they were not absolutely and directly excluded on account of their faith, but only indirectly by not being connected with the two societies. They might say, and justly say, that it was bad policy on the part of the State to confine its assistance to the two societies; but they could not complain of special injury, special injustice, and, I will add, special insult to themselves. Now, the object of my Motion is to atone for that insult, and to do justice to them. With regard to the terms of my Motion, I have endeavoured to shape it so as to interfere in the least possible degree with the functions of the Committee of Council. What is it that excludes Roman Catholics from participating in the Parliamentary grants for education? They are not excluded by the Minutes of last year. I still contend they are not necessarily excluded by the words of the Minutes of December 3, 1839, that " the daily reading of a portion of the Scriptures" should form part of the instruction in all schools receiving grants of public money. The right hon. Baronet the Member for Devonport acknowledged that there were doubts upon the subject. But Roman Catholics are now excluded by the special interpretation that has been put upon these words by Mr. Kay Suttleworth, in his communications with the Secretaries of the Wesleyan Conference on the 7th inst. In that communication Mr. Shuttleworth states that the words a " portion of the Scriptures," means " the entire Bible in the authorized version," in all cases except of schools connected with the British and Foreign School Society, where they mean "extracts" from the Bible. I do think this scholastic subtlety is unworthy of us.

If we will not contribute to the education of the Roman Catholics, let us say so at once like men, and not narrow it to a question of the comparative accuracy of two translations of the Scriptures. The right hon. Baronet the Member for Dorchester has justly observed that "this was the most unfortunate ground on which the exclusion of Roman Catholics could be voted." Now, the object of my resolution is simply to cancel the doubtful interpretation which has been put upon the Minutes of the Committee of December 3, 1839, and to restore the Catholics to the position which their bishops and the majority of persons supposed they held on the 14th inst., with regard to Parliamentary grants. It may be said that the Committee of Council can frame a Minute for this purpose without the assistance of Parliament, and therefore there is no use for my resolution. But I beg the House to remember that the noble Lord the Member for the West Riding of Yorkshire, and the right hon. Baronet the Member for Devonport, both expressly demanded that the sanction of the House should be given to them to enable them, as Members of the Privy Council, to alter the rule which excluded Roman Catholics. The noble Lord offered an explanation of the position in which he stood with respect to the Roman Catholics; he stated that when he became a Member of the Committee of Council, he found certain rules established; that those rules with regard to Catholics were of such importance, that the Committee would not be warranted in changing them without giving notice to Parliament; and he concluded by saying that—

> "He must, in justice to himself, and in candour to others, declare that of no Committee which refused on principle to admit Roman Catholic applications, because they were Roman Catholics, could he continue to be a Member."

I know that the noble Lord is a straightforward and honourable gentleman, and that his words are not empty vaunts. I believe that he is sincerely anxious to do justice to the Catholics. I have given the notice he required; my resolution carried, he will be able to accomplish his wishes. I therefore count upon his vote. The right hon. Baronet the Member for Devonport admitted that the Roman Catholics had just ground of complaint—that an injustice had been done to them—that it ought to be removed, but that it would be objectionable to remove it without the sanction of Parliament; and he said—

> "If the House should affirm the proposition that Roman Catholics ought to participate in those grants, no one would rejoice more sincerely than he should to see the difficulty removed—no one would more cordially co-operate in the endeavour to frame a Minute that should bring Roman Catholics within the rule."

I call upon the House, therefore, to affirm my resolution, that Roman Catholics ought to participate in those grants, in order that the right hon. Baronet may rejoice—in order that his difficulty may be removed—and that he may frame a Minute which shall bring Roman Catholics within the rule. It may be urged as an objection to my resolution, that after the declaration of Her Majesty's Ministers in this House, I ought to have been satisfied, and left the question to them. If the noble Lord had distinctly declared that he would, as soon as possible, and in this Session of Parliament, bring this subject before the House, though I cannot conceive a more suitable opportunity than the present one, yet I would at once have withdrawn my Motion. But what was the declaration of the noble Lord? That we must wait till next year. The noble Lord said, that it was very possible that they might be able to frame Minutes by which, when the House was next asked to grant aid to those schools, the Roman Catholics might be included with others. Why this delay? If this exclusion be an act of injustice and hardship to Catholics, as the right hon. Baronet the Member for Devonport terms it, why any further delay in rescinding it? But the noble Lord says, much care and consideration are required to frame the Minutes. Be it so. My resolution does not prevent him exercising every care and consideration in his power. It binds him to nothing specifically; it only gives him the Parliamentary sanction which his Colleagues declared to be absolutely requisite before they could undertake to frame the Minutes required. There is some discrepancy between the views of the noble Lord the Member for the West Riding of Yorkshire and the right hon. Baronet the Member for Devonport, on the one hand, and the noble Lord the Member for the city of London on the other hand. The two first declared that they could not frame the Minutes required without the previous sanction of Parliament; in consequence of these declarations I immediately gave notice of my Resolution; and the answer of the noble Lord was, that the Minutes should first be framed, and that the question would come before us with next year's

Vote on Supply. The question would be, therefore, postponed to the next year. I agree entirely on this subject with the right hon. Baronet the Member for Tamworth, and the right hon. Baronet the Member for Dorchester. I understood the right hon. Baronet opposite, the Member for Tamworth, to say that there ought to be an early consideration of the claims of the Catholics, and that there ought to be no misunderstanding upon the subject, especially if a general election was at hand. To prevent any misunderstanding upon the subject, the right hon. Baronet will, without doubt, vote for my Resolution. I lay claim to the vote of the right hon. Baronet the Member for Dorchester. The right hon. Baronet has stated my opinions on the subject far more forcibly than I can. He asked the House on Thursday last whether

> —"it was just to the Roman Catholics to postpone to some further period the decision of this momentous question."

He said—

> "He could see some expediency in proposing to postpone it, but he could see no justice whatever;"—

and the right hon. Baronet stated the position of the Roman Catholics to be this:—

> "They were told, that at the present moment they were not to partake of the grant, but that at some future period, which was not defined, their sole isolated case—a case, he must say, invidiously isolated—was to be brought under consideration of this House. When was the right time? The time to do justice was now, and he never could think that it was wise to postpone any concession which justice, equity, and the spirit of toleration and freedom irresistibly demanded."

It is said that it is inexpedient at present to raise this question. Why, I ask, inexpedient? Because, it is said, there is a feeling out of doors against Roman Catholics, and a general election is at hand. I think that feeling is overrated. But suppose that antipathy to Catholics does prevail out of doors. Do we share in that feeling? I believe not. Are we bound to yield to it? What are our duties as Members of this House? Are we representatives or delegates? Are we bound to exercise our own independent judgment on every subject, or simply to register the edicts of the electoral body? Are we bound to act for the benefit of all, or merely to consult the prejudices, each of his own constituents? What, I ask, are our duties? Sir, the 650 Gentlemen, who are Members of this House, constitute a body of men whose superior or equal, as a body, I believe, cannot be found in this country or in the world. As a body, I believe, we are in advance of public opinion. From us the people chiefly acquire their political knowledge. We are their chosen leaders, ought to be their instructors and teachers. Solemn and sacred duties, therefore, devolve upon us, and no duty more important than that of reproving the prejudices and correcting the errors of the people. I consider that a seat in this assembly is the highest dignity and honour that can be bestowed upon an English gentleman, when it is obtained by an honest expression of sincere convictions, and by a conscientious performance of duties. On the other hand, if it be obtained by paltry truckling to vile prejudices, it is a disgrace and a reproach to the man. It is true that we are on the eve of a general election. Let us not go before the people as craven cowards shrinking from a great question. Let us tell them our honest convictions; show them that we are in earnest by our votes, boldly meet them on the hustings; call upon them to ratify our conduct; and they will do so in the teeth of their prejudices. I thank the House for its indulgence. I will now conclude with the Resolution of which I have given notice. The hon. Baronet moved—

> "That any Minutes of the Committee of Privy Council on Education, or other regulations which exclude Roman Catholics from participating in any grant of public money for purposes of Education, by requiring in all schools which receive such grants of public money the use of the authorized version of the Scriptures, are inexpedient, and ought to be rescinded."

Sir G. GREY: Sir, I am not one of those who are at all disposed to blame the hon. Baronet for bringing this subject under the consideration of the House; and I do not rise now for the purpose of replying to the arguments by which he has enforced the justice of allowing the Roman Catholics to participate in the advantages of the Parliamentary grant. I will not repeat what I have already stated on this subject, because the hon. Gentleman has quoted some passages in my speech the other evening with approbation, for which I thank him. With this remark I beg to state, that I have not one syllable to retract from what I then said; and after the declaration made by my noble Friend to-night, I should have hoped the hon. Gentleman would have been content to leave this matter where it was. It has been already stated, that the Government stand pledged to take the subject into their early consideration, and that they will devote their attention to it, with the view of carrying out what appears to be the prevailing opinion of the House and of the country. I do not think the hon. Member has adopted the most satisfactory mode of carrying out his views; nor am I sure that, as he conceives, the only point to be considered by the Committee of Privy Council is whether, by the Minutes of 1839, the authorized version alone is to be used in the schools. If they should decide that the Holy Scriptures mean the Douay version, I do not think that would remove all the difficulties which will come under the consideration of the Privy Council when they frame the Minutes admitting the Roman Catholics. The House will see that we are not only desirous, but that we are pledged, to the early consideration of the question of the participation by the Roman Catholics in the assistance of the State; and when we propose the Minute, and the House is called upon to vote the money, that will be the time for the House to decide this question, and to determine what shall be the grant of money for this object. The hon. Baronet has said, that if we will pledge ourselves to submit the Minutes respecting the aid to be given to Catholic schools this Session, he will not press his Motion. Sir, I can give him no definite assurance on this subject. I do not wish the House to suppose it possible that no Minute will be prepared, and that no Vote will be proposed this Session. But, in abstaining from any promise on that subject, I can assure the hon. Gentleman that we have no wish, as he supposes, to take advantage of the coming election. So far from this, I believe it would be better if we had a Minute ready now to lay it upon the Table, and to defend it on the hustings, rather than to go to an election in which we should be accused of not having had the courage to go on. As the Committee of the Privy Council have not met since the question has come before the House, I will not deceive the House by any implied pledge as to the decision they may come to. We wish to enter upon the consideration of the subject unfettered and unpledged, except by the pledge I have given to the House, that the subject shall have the best and the early attention of the Government.

Lord H. VANE agreed in thinking that the better course would have been for the Government, as regarded the question of elections, to have stated precisely what their intentions were with respect to the Roman Catholics; and he believed the majority of the House were of that opinion. He regretted that, at the introduction of this system, the Government had not stated their intentions more distinctly, although, he admitted, they had many difficulties to contend with. He felt that, after the discussion which had taken place, and when so many Members on both sides of the House had declared themselves upon the subject, no time should be lost; but the Minute ought to be framed at an early period, with a view to carry the object of the Government into effect. The declarations of the Government were such, that he was sure there would be no great postponement of the plan; and he thought those declarations must have given satisfaction to the Roman Catholic Members who heard them; for they must have felt satisfied that, although the Roman Catholics were now excluded, there was an intention of including them at a very early period. He would recommend the hon. Baronet to withdraw his Motion.

Sir R. H. INGLIS observed, that the hon. Baronet (Sir W. Molesworth) had anticipated two classes of objections to his Motion: one having reference to its form, and the other to the time at which it was brought forward; but he seemed to think that there were no other grounds on which his proposition could be opposed. He, however, opposed the hon. Baronet's Motion on far higher and more sacred grounds than those to which the hon. Baronet had referred; and his objection applied to the proposition, whether introduced by the hon. Baronet, by the noble Lord the present Premier, or by the right hon. Baronet the late Prime Minister of this country. Under any circumstances, at any time, and introduced by any men, the proposal now brought forward by the hon. Baronet would meet his (Sir R. Inglis's) determined opposition. He knew it was said that the effect of that proposal would merely be to give a small salary to a few Roman Catholic schoolmasters; but he saw distinctly—and he believed the country saw too—that this was the first step towards the payment of the Roman Catholic priests in England for teaching in the pulpit those doctrines which children would be taught in Roman Catholic schools. He could see that the two great leaders in that House were united in this cause; and it became the House to bear fully in mind what was the deliberate and expressed intention of those to whom the confidence of the country was, and had been, so largely conceded.

In the first instance, the education of the people of this country was confided to the Church; next, the State had extended its aid to those who used the authorized version of the Scriptures; and now—irrespectively even of that safeguard—the State was required to extend its support to all who called themselves Christians. But there the right hon. Baronet opposite (Sir R. Peel) stopped short; and his (Sir R. Inglis's) hon. Friend the Member for Pontefract must not indulge the hope of securing the support of the late Prime Minister to any plan for educating Jews, Turks, infidels, or heretics. The right hon. Baronet stopped at the word Christians; but said, with reference to Roman Catholics, that he would not be a party to any course which might place the noble Lord, his successor in office, in any difficulty upon that question. He would venture to tell his right hon. Friend, that he believed, not even all the protection and support which he (Sir R. Peel) could give to the noble Lord at the head of the Government, would enable that noble Lord to carry into operation a system so repugnant to the genius of the constitution of England. The great mass of the people were at this moment distinctly hostile to any further concession to the Roman Catholics; and they would not be misled by the kind of threat which had been repeatedly urged in that House, that the numbers of the Roman Catholics imposed upon the State an obligation to comply with their requests. The hon. Baronet who had just addressed the House, indulging in that species of exaggeration—though, doubtless, unintentionally—to which they had been accustomed to listen from the advocates of Roman Catholics, had talked of the 1,500,000 Roman Catholics who dwelt in this portion of Her Majesty's dominions. They had before heard of the 8,000,000 of Roman Catholics in Ireland; but gross as that exaggeration was, it was not quite so gross as the exaggeration of the hon. Member for Southwark. He would put the hon. Baronet's statement to a test which had frequently been used, in order to ascertain the numbers of any particular creed; he would test it by the number of marriages of Roman Catholics in proportion to the whole population. Now, according to that test, the number of Roman Catholics in this country was less than 300,000. Some allowance must, of course, be made, in applying this test to Roman Catholics, for those members of the body who entered into religious orders, and were thereby debarred from marriage. The ordinary proportion of marriages to the whole population in this age and country is now taken as one in 129; it had been one in 130. The Registrar-General's report gave no more than 2,280 marriages solemnized in places of Roman Catholic worship in 1844. But though there might be some ground for supposing that the number of marriages among Roman Catholics, from the cause which he had just mentioned, might be less in proportion to their numbers than those amongst Baptists and Independents, it must not be forgotten that marriage, being regarded as a sacrament by the Romish Church, there was a strong inducement for the solemnization of all marriages between members of that Church, or between a Roman Catholic and a Protestant, in Roman Catholic places of worship. If, then, they found that no more than 2,280 Roman Catholics married in a given year, taking the ascertained average in other portions of the population of one marriage to each 129 persons, the number of Roman Catholics in England and Wales would not exceed 300,000. It was quite clear, from the statements which had been made by the Secretary of State for the Home Department, and by the First Lord of the Treasury in the present Administration, and from the opinions which had been expressed by the right hon. Gentlemen who filled those offices in the late Administration, that if their combined forces could carry such a proposition as that now made by the hon. Member for Southwark, it would be adopted; but, so far as the feelings of the people of England were concerned, he believed it would be found to be arrayed most strongly against legalizing, endowing, and supporting the education of Roman Catholics at the expense of the State: first, because they felt that the measure was wrong in itself; and, secondly, because they knew that the endowment of the priesthood would follow the adoption of such a measure. He (Sir R. Inglis) could conceive no argument in favour of the one, which did not equally apply in favour of the other. He had asked the right hon. Baronet opposite (Sir R. Peel) when he was in office, whether he would pledge himself not to sanction any measure for the payment of the Roman Catholic priesthood at a future period? But his right hon. Friend refused to give such a pledge; and he, therefore, could not but conceive that, so far as that right hon.

Baronet was concerned, the country would have no security, if he returned to power to-morrow, against the payment of the priesthood of the Church of Rome in Ireland. He (Sir R. Inglis) must say, that he had heard with surprise the declarations made by the noble Lord (Lord J. Russell) within the last few days, and which were especially unexpected by those who had been in frequent communication with the noble Lord on this subject for some time past. He was ready to concede, however, that the noble Lord had not broken any pledge, because the noble Lord did not even now propose to appropriate any portion of the present vote to the support of any system of education in which the authorized version of the Scriptures was not used. The noble Lord had, however, intimated too plainly his wish, his intention, and almost his expectation, of carrying a measure which would extend very materially the principle upon which the vote of last Friday was based. He felt it his duty to resist any concessions of this kind at the outset, because, when the first step had been taken towards such concessions, it was very difficult to recede, and almost impossible not to advance.

Sir R. PEEL: Whenever my hon. Friend who has just sat down expresses an opinion in this House, however emphatic may be the declaration of that opinion, I feel so much respect for his integrity and character that I always believe he is expressing the opinion which he sincerely and conscientiously entertains; and I cannot but think that my hon. Friend would show more of true toleration if he would extend to others that principle which others are willing to apply to him, and give them also credit for having no other object in view, in expressing opinions which may differ from his own, than to promote the public interest, and to do justice between different classes of Her Majesty's subjects. My hon. Friend imputes to me that it was my object, in delivering the opinions I expressed on Friday night, to outbid the noble Lord (Lord J. Russell), and to attempt to conciliate the Roman Catholics in order to obtain their support. Sir, I assure my hon. Friend that he does me gross injustice—that I have no object whatever of a political kind in outbidding the noble Lord. If I had any political or personal object in view, I greatly doubt whether I should promote it by the expression of my opinion, that when you are revising and reconstituting a system of public education, you should not exclude the Roman Catholic subjects of Her Majesty from a participation in its advantages. My hon. Friend must remember the course I took with regard to the Maynooth grant, and the opinions I then expressed, at some risk of the loss of popular favour and of office; and he must have seen that there is between him and me a total difference of opinion as to the principle of giving aid to the Roman Catholics for purposes of instruction. I do not believe that we are compromising our own faith by giving that aid. If I wanted a proof that my hon. Friend ought to have done me the justice which I am willing to do him, I find that proof in his own speech; for, after hunting through the statistical returns of the Registrar General, he finds that the Roman Catholic population of this country has been grossly overrated, and that, inferring the number of Roman Catholics from the number of marriages, they ought not in England to exceed 300,000. Well: be it so. My hon. Friend's estimate shall be assumed to be correct. There are not more than 300,000 Roman Catholics in England. What political object could I have, then, in recommending that justice should be done to a small section of the population? I do not find that measures intended to improve the position of the Roman Catholics are exceedingly popular in this House; for I recollect that a measure in their favour which had been recently carried by a majority of three, on being exposed to a further ordeal, was lost by a majority of 39. So far, therefore, as this act of the House is an indication of the opinion of the country, my hon. Friend cannot justly charge me with having attempted to promote any political objects by the course I have taken with regard to the Roman Catholics. As to gaining the support of the Liberal body—so far as the Dissenting body is connected with the Liberal body—I doubt whether an expression of opinion in favour of the Roman Catholics is likely to conciliate the support of that portion of the community. But, in truth, I have no political object in view. I believe it to be just and politic to take the course I have recommended. I recollect well what fell from the hon. Gentleman the Member for Kent (Mr. Plumptre), the other night. I and others who support the Government measure were charged by that hon. Gentleman—not with rashness, not with impolicy, but with absolute infidelity. This is not the place to make professions of faith; and nothing that can fall from that hon. Gentleman (such is the respect I entertain for him) shall induce me to say one harsh word in reply. But as to the accusation of infidelity, I say at once that I cannot believe—and I say it with all reverence—that that God who is the "Author of peace and the lover of concord"—who gave us his "commandment that we should believe in the name of Jesus Christ, and love one another"—I cannot think, that that Almighty Being will consider that we are fulfilling such a commandment when we hate one another, and allow thousands and tens of thousands of children to pass through life, and to be launched into eternity, without having ever heard of the name of Jesus Christ. It would be much better for us to make allowances for the imperfections of human nature, and to give to each other the benefit of a presumption that we are influenced by honest motives, rather than to combat a difference of opinion with a charge of infidelity.

Far from desiring to embarrass the noble Lord, or to take any course which would diminish the chances of success for that measure which he has proposed, I fully estimate all the difficulties by which he is surrounded in bringing forward a measure even of this limited extent. My experience of office is too recent not to make me perfectly aware that the position of a Minister and of a Government is widely different from that of private individuals. We, as individuals, can state what are the measures and what are the principles which we think ought to be adopted; but a Minister, anxious for the success of a particular measure, and fearing the obstacles which it may meet with—looking to the attainment of a practical result, and being responsible for that practical result—has sometimes to attend to other considerations than those by which private individuals or members of the Opposition may be guided. He may have to content himself with a measure falling more short of absolute good than his own feelings would dictate, or than he might himself, if he were in a different situation, and not charged with the success of a practical measure, have aimed to carry out. I am surprised that the hon. Baronet (Sir W. Molesworth) should claim my vote on this occasion. I took the earliest opportunity of stating distinctly my sentiments on the general question; but I stated at the same time that I could not concur in any vote which would at all embarrass the further proceeding with this measure. I stated distinctly that I would not be a party to any compulsion on the Government, unless the Government should show an unwillingness to adopt such a course as would be in accordance with the views I expressed. I do hope that the hon. Baronet will not press his Amendment on the House. I do not say this for the purpose of relieving myself from any difficulty; for I feel no difficulty whatever on the point, because, after the avowal made by the right hon. Gentleman the Secretary of State for the Home Department, not on the compulsion of this Motion, but voluntarily, two or three nights ago, and after the statement made to-night by the noble Lord, that the Government concedes the principle that the Roman Catholics ought not to be excluded, and that the Ministers pledge themselves to bring forward a Minute maturely considered for the purpose of including them in the scheme of education, they, the Ministers, have done nothing which should so disentitle them to the confidence of the House that they should not be allowed a full opportunity of considering this subject. The right hon. Gentleman opposite says, and I think very properly, that he cannot pledge himself to introduce this Minute at any particular time; but he has given the House a full assurance with respect to the principle contended for. I can easily believe that certain communications may be necessary for the purpose of making the measure complete; and that a measure would be much more likely to be satisfactory to that body for whose good it is intended, if there were an opportunity afforded for confidential communication with them, rather than that the Government should be compelled by a hostile vote of this House to introduce an immature and imperfect plan. I believe that it is the intention of the Government to do that which is just; and, having that conviction, I cannot concur in a vote which would imply distrust. I hope that I have convinced my hon. Friend that I have no desire to outbid the noble Lord opposite, or to try and gain popular favour at his expense. I disclaim any such motive. So far from wishing to embarrass the noble Lord on this question, I have seen too much of the difficulties with which he is surrounded, not to be content with the prospect of ultimate success, and to accept with satisfaction the measure before the House.

MR. V. SMITH hoped that the speech of the hon. Baronet the Member for the University of Oxford had convinced Her Majesty's Ministers that their design of giving education to Roman Catholics, would be, by the body the hon. Baronet represented, fiercely opposed. He trusted, therefore, that the hon. Member for Southwark (Sir W. Molesworth) would, by persevering with his Amendment, impose on the Government the necessity of immediate action on this question. He did not see that the Government required much time to mature their views on the subject, for it was one which had been long under their consideration. They had the example of the education system in Ireland, which was not now objected to, he believed, by the Protestant clergy and others in Ireland, and this would make an excellent foundation for any system in this country. Let not the Government mistake him by imagining that he doubted one word of their professions; but no one would deny that if the Government did not give a pledge to introduce some measure before the miscellaneous estimates were out of the House, there would be no vote for the education of Roman Catholics this Session.

MR. M. J. O'CONNELL thought that the thanks of the Roman Catholics of this country were due to the hon. Baronet (Sir W. Molesworth) for the able manner and generous spirit in which he had brought the question before the House. Whether or not the hon. Baronet would feel himself justified in going to a division, he had unquestionably done the cause much good. However, the assurance given by the right hon. the Home Secretary, in addition to what they had heard before connected with this question, was extremely valuable. He could not but express regret that the Government made the education of the Roman Catholics an exception to their general policy; and he said this not so much in the spirit of complaint as of compassion; for whatever injury the Government had thereby done to the Roman Catholics, they had done more to themselves, and had aggravated rather than diminished any difficulties connected with the question that might have existed in this country. He must say, that the Roman Catholic bishops in this country had not been fairly treated in having had put to them certain queries which appeared in one of Mr. K. Shuttleworth's letters. It was not his intention to discuss some of the topics adverted to by the hon. Member for the University of Oxford. They were not fit for discussion in that House; and let the opinions of the Roman Catholics be right or wrong, the question was whether, finding a large body of them in this country, the Legislature were not bound to aid in giving them education, as far as possible, on the same principle as that on which they afforded aid in education to the various Protestant sects dissenting from the Established Church. He had heard from the other side of the water many expressions of gratitude towards the right hon. Baronet opposite (Sir R. Peel) for his speech of the other night. It might be true that the right hon. Baronet, like another right hon. Baronet, entertained other views some years ago; but the country did not care much what a man thought some eight or ten years ago. The country thought more of what a man was inclined to do now, than what he thought eight or ten years back. The two right hon. Baronets to whom he alluded might have changed their opinions on this subject, as most men had on some subjects; but the observations they had recently made had given a great impetus to the cause of freedom of conscience. The right hon. Baronet (Sir R. Peel) was free from the shackles of office; and, what was more fortunate for his reputation and for the country, he was also free from the shackles of party. When an individual obtained the applauses of good men, it was of little consequence to him to be accused of hunting after popularity. The right hon. Baronet had done much to enlighten public opinion on this subject; and when the objects he had in view should be carried out, he would have entitled himself to the gratitude of the Roman Catholic body. If the hon. Baronet (Sir W. Molesworth) should divide the House, he should certainly vote with him.

MR. LAW said, that the Motion of the hon. Baronet the Member for Southwark negatived in terms the principle on which the measure of the Government had proceeded, and on which it had obtained, not only the concurrence of this House, but in a great measure the concurrence of the country—namely, that the education should be founded upon the authorized version of the Scriptures. To that proposition the Government had secured the ready assent of a vast majority of this House. He was satisfied that the very circumstance of the authorized version of the Scriptures being the foundation of the religious education of the people, was that which had conciliated not only the opinions of the Church of England, but of all the Protestants of the country, with some rare exceptions. And he had felt it to be his duty to give his humble support to the Government, because the noble Lord at its head had done his duty alike to all parties—to the country and to that House. With regard to ulterior measures, he conceived that the difficulties which Government had already experienced in bringing forward the present measure, would be greatly increased when they came to the consideration of any proposition which was intended to embrace the Roman Catholics. The difficulty consisted not merely in maturing such a scheme as would be the most calculated to disarm opposition, but in maturing such a scheme as Roman Catholic Gentlemen would accept. The question, whether or not it was intended to exclude or permit the use of the Douay version of the Bible, was but one difficulty out of many which the noble Lord would have to encounter. For himself he could not offer to the noble Lord the expectation that he was likely to frame a measure in which he should conscientiously concur; but this he was sure, that if any man was more capable than another of devising a measure which would be acceptable, it was the noble Lord. But in saying this, he must reserve to himself the right of fully considering such a measure upon its merits, in order to be satisfied that it could be safely adopted on constitutional grounds, and at the same time be acceptable to the Roman Catholics. As far as the noble Lord had proceeded, he begged to tender him his thanks for the manner in which he had conducted the present measure, and to congratulate him on its success. Beyond this point, however, he must pause. Every future step he should take with extreme caution. The hon. and learned Gentleman concluded by stating that he should give his entire opposition to the Motion of the hon. Member for Southwark.

Mr. LIDDELL held it as a broad and distinct fact that when once they had agreed to give State support to the education of all classes of the people, without reference to religious opinions, they could not, with any degree of justice—provided they made out a case of destitution or necessity, which he had little doubt, from the information he had derived, Her Majesty's Government were prepared to show—refuse to extend to the Roman Catholic subjects of Her Majesty the same aid that they gave to Protestants. On that broad principle he was content to take his stand with the Government in opposition to the feeling expressed by his hon. Friend the Member for Oxford University. But the present Motion called upon the House to rescind the resolution which had obtained the support of a large majority of its Members; and he could not concur in doing that. With regard to the general question of the extension of aid to Roman Catholics, he was perfectly satisfied with the assurances given by the noble Lord (Lord J. Russell) and the right hon. Baronet (Sir G. Grey). The Ministers were no novices in the school of liberal opinions; and the whole public conduct of the noble Lord, from the time when he accomplished the repeal of the Corporation and Test Acts, gave a pledge for the sincerity of his desire to bring this question to a successful issue. The hon. Member (Mr. M. J. O'Connell) took a wrong view of the conduct of the Government towards the Roman Catholic bishops: the noble Lord was anxious to meet the difficulties of the subject; and how could he do so but by means of inquiries? For himself, he was content to wait till it might—he would not say, suit the convenience, but the information of the noble Lord, to frame a new Minute: judging from the past, he had no fear that that Minute would have his opposition; and in the mean time he hoped that no such Motion as the present would be pressed.

Mr. MORE O'FERRALL held that no portion of the community was so deeply interested in the education and enlightenment of the great body of the population as the Catholics; for none had more suffered from the evils of ignorance. To this might be traced the delay until 1829 of the question which was then settled; and every one who reflected upon the events which had since occurred, must deplore the consequences which had resulted from that delay. He regretted that he had not been able to be present to give his vote in favour of the general education of the people of this country, though he confessed he felt the apparent exclusion of the Catholic body. The hon. Baronet (Sir R. Inglis) seemed to desire to exclude Catholics from the benefits of education; but surely, if the hon. Baronet were consistent with his own principles, he must believe that it was desirable that the Catholic should learn to read. If Catholics were educated in a Catholic school, they would learn to read, and to write, and to reason; and surely the hon.

Baronet's view must be, that the more enlightened they were, the more certain they were to become Protestants. Could the hon. Baronet believe that driving boys, not into school, but into the streets, to learn (as at present) thieving and every vice, was the road to Protestantism? With regard to the immediate question, the speech of the hon. Member for Southwark (Sir W. Molesworth) had elicited from the Government a repetition and a more full explanation of their views—an explanation which to him (Mr. O'Ferrall) was perfectly satisfactory. He had had the honour of knowing all the Members of that Government for many years, and he could not possibly doubt the statements they had made. He was just as satisfied that a Minute of Council, in a shape to be satisfactory to the Catholic body would be laid on the Table, as if that Minute were there already. Concurring, then, in the proposition before the House, he felt that if he affirmed it by his vote, he should be in effect stating distinctly that he did not believe the professions the Government had made; and to that conclusion he could not say that he came. Hon. Members had been called upon by a preceding speaker to act upon their conviction of what was best for the community they represented, and not heed misrepresentation out of doors; and he was prepared to adopt that advice. If he should have to divide along with the Ministers, he had very little doubt that his conduct would be grossly misrepresented; but he believed, if he were to take the contrary course, he should not serve the community to which he belonged, but should place them and the Government in perhaps greater difficulties than at present. It was to him a matter of indifference whether there was to be a division; if there were, he should vote against the Motion of the hon. Baronet (Sir W. Molesworth), and record his conviction of the integrity and sincerity of Her Majesty's Ministers.

Mr. MONCKTON MILNES said, that he did not know whether his hon. Friend the Member for the University of Oxford would approve of the conduct of our Indian Government, in giving funds for the education of the Mahommedan population; but he should have thought that if there were any class whom he ought to wish to educate more than another, it would be the Roman Catholic body, who had fallen into what he believed to be such grievous error. For himself, he (Mr. Milnes) was willing to do all he could to raise the minds of all Her Majesty's subjects; and as to the matter immediately before the House, he thought that Her Majesty's Government were placed in a disadvantageous position. He doubted not, that, at some time or other, the good sense of the people would prevail against religious bigotry. He thought it impossible long to have any system of national education excluding so large and respectable a portion of the people as the Roman Catholics; but it would have been, in his judgment, much better not to allow the Roman Catholics to be dissociated from the rest of the Dissenters. Hitherto, so far as he was aware, no Act taking notice of these religious dissensions, had ever drawn any other distinction than that of the Church on one side, and of the Christian body dissenting from the Church on the other. By making the Roman Catholic education the subject of a separate Minute, the Government had already increased the difficulty of the subject; because, to many persons, it would appear as if they were favouring and encouraging, to some extent, the Roman Catholic religion; and every day's delay would further increase that difficulty. He would strongly recommend the Government to adopt the advice of the hon. Member for Northamptonshire, and at once issue a Minute, distinctly placing before the people of England the principle, that by assisting in the education of the Roman Catholic poor, they in no manner recognised the peculiar doctrines of that Church. The question of the authorized version was quite a new difficulty; for he could not conceive that any of the Dissenters who complained that the Roman Catholics purposely kept the people in ignorance of the Holy Scriptures, would object to the use of any version in preference to none. There was, however, a great mistake prevalent on that subject; he did not believe that the Roman Catholic religion at all necessarily prevented the circulation of the Scriptures. He had supported the present measure of the Government; but he could not help saying that all the difficulties came from touching the religious part of education. He trusted that they should advance much further yet; and although he knew that merely secular education was in great disrepute, he confessed that he had never been able to see why the contribution of the Government should not be given to the secular part of education, the Government inspectors seeing that the children were religiously educated in the doctrines of their own community. The inspection, as at present proposed, was certainly inconsistent with that religious independence which no man more highly prized than himself; and he begged Her Majesty's Government to bear in mind that their difficulties would always increase just in proportion as they approached the religious part of the subject. He had given to Her Majesty's Government a hearty support, feeling the difficulties they had to encounter; and he could not consent to the Motion before the House, although he entertained objections to the present scheme. The Motion of his hon. Friend went so far as to render nugatory all their former votes, because the only Minute affecting the Roman Catholics was the one requiring the authorized version to be used; and for that a large majority had already voted. Let him, in conclusion, congratulate the House on that large majority, of all classes of political opinions, met together to protest against the strange misrepresentations which had gone abroad on the subject, and to do honour to the noble Lord, who had with so much temper and judgment conducted the measure, and had proved that he sincerely intended to confer upon England the greatest boon which a statesman could bestow — a really sound system of national education.

Mr. FORBES said, that his only reason for voting in support of the Government scheme was, that it required the use of the authorized version; and he knew that the great body of the people would view with great alarm the proceedings of that night. He had, therefore, felt it due to those who entertained such views, and with whom he should always be proud to act, to state, that any system of education which did not embrace the teaching of the authorized version of the Scriptures, would meet from him a most determined opposition.

Mr. AGLIONBY hoped that the hon. Member for Southwark would withdraw his Amendment. It was one which in itself he did not approve of. He believed that its main object would be accomplished in the course of time; and as the Government had declared that the matter was under consideration, he thought that was no ground for supposing that State education would not be extended to the Catholics before long. The hon. Baronet, then, would gain nothing by pressing his Amendment. But it was an Amendment which, after all, did not go far enough. Was there no other class than Roman Catholics excluded? Were not the members of the Jewish persuasion excluded as positively and as rigorously as were the Roman Catholics? Why were they so excluded? He would have secular education for all who chose to avail themselves of it; and religious instruction afforded, either separately, in a different part of the school, or under the superintendence of the teachers appointed by each religious persuasion. He should strongly advise the hon. Baronet to leave the present question in the hands of the Government, in the hope that a practical and not an abstract system of secular education, would, at some future day, be brought forward, and obtain the sanction of Parliament. The hon. Member for Pontefract congratulated the Government on the large majorities with which they had carried this measure; and the hon. Gentleman had a right to do so, for he was himself in the majority. But though he had voted in the minority, still he could not withhold his congratulation from the Government for having taken a step in the right direction. He believed if they had proposed a much more general measure than they had done, that the country would have gone with them. But there was a subject even of greater congratulation than the large majorities by which this measure was carried—the tone and temper even of those hon. Members who had spoken in opposition to the plan. There was a total absence amongst the Members of that House of that bigotry and intolerance that had been developed out of doors. They were likely very shortly to meet their constituents on the hustings; and he, for one, should tell the constituency which he represented, that he should vote in favour of any measure for the extension of secular education to all classes. leaving the religious teaching to be performed by the sect to which each child belonged. If the hon. Baronet should divide, he must vote with him; but he hoped the hon. Baronet would take the advice of more experienced Members, and withdraw his Amendment.

Mr. NEWDEGATE was determined, that, so far as he was concerned, there should be no misunderstanding as to the position he occupied in reference to the question of educating the people. He rejoiced at the support which the noble Lord had received; he honoured him for the manner in which he had brought forward his proposition; but still more did he honour him for having disdained to take any unfair advantage of those who were inclined to support him, by concealing his views on the subject of the claims of the Roman Catholics to participate in the advantages of the grant. Still, he (Mr. Newdegate) wished it to be distinctly understood, that he stood uncompromised as to anything but to the vote he had given on the Minutes of Council as proposed by the noble Lord. He claimed for himself the most perfect liberty of action on all other points. He abandoned not one whit of those opinions which he ever held; but he would give no man the opportunity of saying, that he was so bigoted, so intolerant, so incapable of comprehending the spirit and doctrines of that religion which he himself professed, as to preclude himself from the consideration of any measure that might be proposed for the instruction and advantage of the Roman Catholics. He believed that those persons belonged to a Church that claimed by far too much; and his objection lay to being a party to the granting of means by which the doctrines of that Church were to be extended. On this question, however, he would repeat, that whilst he held the same opinions, entertained the same fears, as to the consequences of encouraging the dominant spirit and extending the power of the Church of Rome, which he had expressed on a late occasion, he could state his perfect willingness to consider the subject of a grant for educating the children of the Roman Catholics, should it be proposed by the noble Lord. But he should consider any such proposal under the same feelings, and with the same opinions, and with the same fears, which he had ever entertained on the subject of the extension of that Church in this country; and he saw nothing in the circumstances of the present time which rendered it more easy than heretofore to accede to the wish of the Government, or consent to a measure the effect of which might be to extend the power and influence of the Church of Rome.

Mr. M. BELLEW said, that, as a Roman Catholic Member of that House, he wished to say a few words. He admitted that in no country was there greater destitution than in this; and he was, therefore, in favour of rendering assistance to all the people; but, though he felt an obligation to the hon. Baronet for bringing forward the Amendment, he would not be justified, after the conduct of Her Majesty's Government, and the promise they had made, in voting against them.

Sir W. JAMES regretted that the noble Lord, who had been so great an advocate of civil and religious liberty, should have been backward upon the present occasion; and he thought the Government wrong in accepting the support of the Opposition on the grounds on which it was offered, when they at the same time made a strong declaration of their intention to act contrary to those grounds. He wished, indeed, that the principles of the Government had been carried further; for nothing was more clear than the mischief of making the scholars theologians. He admitted, however, that the Government had difficulties to contend with in the peculiar tenets of the Roman Catholics and of the monastic orders; and it would, in his opinion, have been better if they had postponed the consideration of this part of the measure for another year; but, as he had given them his support, and as the present Motion would cast a stigma on them, he would not, after the promise they had made, vote with the hon. Baronet on the present Amendment.

Mr. SIDNEY HERBERT said, in reference to the proposed Amendment, that he hoped they would have an opportunity during the present Session of discussing the question; and his only object in rising was, in case the Amendment should be pressed to a division, to prevent the vote he should be compelled to give from being misinterpreted. If he voted against the hon. Baronet that night, it was not because he supposed that the Roman Catholics ought not to be included with other Nonconformists in any plan of education; for he was distinctly of opinion, that if the system of education which had existed during the last few years was to be disturbed, as, owing to the growing wants of our population, it must be, and as the whole House concurred in the propriety of extending education beyond the wants met by the compromise of 1839, it would be right when that compromise was disturbed to extend to all classes of nonconforming Christians a participation in the grant; and he thought the noble Lord would find the difficulties of the case greatly aggravated by the delay. He did not indeed agree that it would have been possible to introduce a system of secular education, as had been proposed by Dr. Hook, than whom no one had a greater claim to approbation for his exertions, for the bold stand he had made for the Church, and for his successful preaching of the gospel of truth to hundreds and thousands; and he could not think that such a plan would succeed. Even the reference to Ireland supplied no proof of the efficacy of such a system in this country. In Ireland extracts from the Scriptures were read, even where clergy of the different denominations did not take part in the schools; and there was this peculiarity in Ireland, that it was not subdivided into the same number of denominations as in this country. Ireland, speaking numerically, was Roman Catholic; and, therefore, the attention of any statesman must be given to the Catholics as the majority; but the minority, differing as they did in general opinions, were all, whether of the Established Church or Presbyterians, recognised in some degree by the State. They might make the schools here the medium of polemical discussions; but he thought the noble Lord had taken the wise and proper course. The Church of England owed him thanks for the position in which she was placed, though she would not be bettered by it; but, in consequence of her own zeal during the last few years, she had greatly bettered her own position; and he thought that the noble Lord must be gratified with his own plan, and the reception it had met with. He only hoped, that when they came to deal with the question as it affected the Roman Catholics, hon. Members would not revert to party feelings, and that those who acted in a spirit of toleration towards the Roman Catholics would not be considered as unfaithful members of their own Church, but that they would agree to extend to all sects all the light which, if they believed in the truth of their own principles, would be the best means of propagating what they thought to be truth.

Mr. ROEBUCK asked whether the interpretation of the right hon. Gentleman was correct, and that during the present Session they would have an opportunity of expressing their opinions as to the participation of the Roman Catholics; and that, after voting this 100,000*l.*, there would be a special vote for the Roman Catholics, or that the 100,000*l.* would be considered a general fund, applicable to the Roman Catholics as well as to all other Dissenters? If that was the opinion of the noble Lord, he would save all further discussion; but if it were not, the whole difficulty would remain. The noble Lord "died and made no sign," so that he might assume this was not his intention. When the plan was first brought forward, it was supposed that the Roman Catholics were excluded; the noble Lord then declared that he had been misunderstood; and now all he asked the noble Lord to do was, to get up and save them the trouble of a division. Would the noble Lord come forward and declare that the Roman Catholics should be considered as included in the vote of 1,000,000*l.*, or that he would bring forward another vote? If the noble Lord would do either of these things, he was sure that the hon. Baronet would not divide; and, at the same time, he assured the noble Lord, that, in such an event, the noble Lord should not hear his voice for the next week. There were also other members connected with the Administration, of whom he wished to ask another question. There was one right hon. Gentleman the Master of the Mint (Mr. Sheil) who had long been an ornament of that House, and who was a Roman Catholic—how was it that his voice was silent, and that from him had not been heard an eloquent defence of Roman Catholic rights? There was another hon. Gentleman, a Roman Catholic, and connected with the Government, who possessed great ability, and had acquired a great name for his exertions in education—how came it that that hon. Gentleman's voice was silent, whilst the discussion was left to those who were enjoying nothing, gaining nothing, and hoping for nothing, when they who, from their position, and from the favour they had received, ought to be foremost, were without voice? He could not suppose that the business of office or personal considerations could have tied that eloquent tongue; but there must be some great reason that bound down that mighty giant, and made him upon this occasion as silent and useless as a baby, leaving this vital question to be fought by those whom an hon. Gentleman, who had spoken that evening, had called the enemies of his faith. Enemy of his faith! He was not an enemy of any man's faith; but if his own faith were neglected by the Government, he would not be a silent spectator of their proceedings. He knew why the noble Lord had acted as he had done—he fancied that the people out of doors were against him. But the noble Lord did not promise them that he would bring forward any vote, as the right hon. Gentleman who had just sat down had supposed. All he stated was, that he and his hon. Friends hoped that the hon. Baronet the Member for Southwark would withdraw his proposition, and leave it to the Government to decide upon it as they thought proper. He (Mr. Roebuck) was obliged to look back and ask how the money hitherto voted had been spent? Had it not been spent so as to excite jealousy amongst the Dissenting portion of the population? The National schools had been invariably paid. Two societies had been selected—the National, and the British and Foreign School Societies; and the Minutes of Council provided that no other schools should receive the money granted by the public. The consequence was, that where only one school of the British and Foreign Society had been paid, twenty calling themselves in connexion with the National School Society had received money. If he looked to the report of 1841 and 1842 of the Committee of Council on Education, he found that there was a constant teaching against the Roman Catholics, and against all doctrines of the Dissenters, and the consequence was that hitherto they had been only sectarian teachers. Mr. Allen, in his report of the training schools—and to this he (Mr. Roebuck) invited the attention of the Government—said that hitherto all the children had attended the parish church on Sundays; but that if a case should arise of one of them wishing to attend a different place of worship, and he made a special application for that purpose, permission would be given to him; but that it would be also intimated to him that he had better not join that institution, as the harmony of the household could not be preserved if a spirit of controversy were to arise. The great body of the people would believe that they were about to create sectarian education, and that the people, if they could not conform to their views, had better stay away from their schools. They would think that it was intended to exclude the great body of the Dissenting population. That was a proposition against which he would ever raise his voice: it was one to which he could not calmly listen; but that was the proposition on the Table of the House. The noble Lord and his Friends had been extremely profuse in vague promises, but they brought forward nothing definite. Now, he would ask the noble Lord what was the position in which he stood as regarded Ireland? They had voted 8,000,000*l.* for the charitable relief of the Irish people, by which they hoped to conciliate a large proportion of the population, being Catholics; but now when they were called upon to aid their personal and temporal interests—when they were called upon to give them that education which was so essential to their happiness here and hereafter, this paltry sum of 100,000*l.* was made the battle-field of ignorance, prejudice, and bigotry, and an insult to the Irish people; and they refused to let the Catholics participate in the advantage of that grant, which they nevertheless admitted to be the right of every human being in this country who was a subject of the Government, no matter what his creed might be. But it so happened that of all people in this country who required education, the first were the Catholics in the commercial districts; and he asked that House, did they vote this money for the peace and security of the realm—for the purpose of elevating the character of the people? What in God's name were they to vote this money for, but for the purpose of winning the people from that dark ignorance which hitherto had unfortunately been their miserable and wretched lot? And who were they who were most ignorant, and who most required the fostering hand of education? The poor unfortunate Irish of the manufacturing districts. But he objected to the whole principle of the Government scheme. They said, "We will give you money if you will give us money." And they said that to just those parts of the country where the people were the most ignorant, and most unable to co-operate with them, and where they ought to distribute the money granted for education. [*Cheers.*] Now what were those idle cheers? [*Laughter.*] The noble Lord smiled triumphantly. He knew the majority the noble Lord had got; no matter how conclusive the arguments or statements against him might be, that majority was the noble Lord's answer to all. But the time might come when by chance that cry of "No Popery" might be converted into another description of imputations. It might be said that there was in office a body of men who by extraordinary circumstances, from no peculiar virtues, considerations, or views of their own, but by a fantastic freak of fortune, had been placed on the Treasury bench, without anything to rest upon but the extravagant dissensions of their most unwise opponents; it might be said that such things were within the range of history; and that those men, playing the game of "in" against those who were "out," and wishing to retain their pleasant places and the soft pillows of office, had thought to show their active ingenuity and intellectual power by fashioning measures which should keep them in power without the slightest regard or consideration for the public weal. It might be that imputations of that kind might be brought against the Government, who were so willing to hazard the proposition now on the Table. He was entitled to suppose that there was something beyond what they could understand. The right hon. Baronet the Member for Tamworth said that this ought to be done; that he agreed with the hon. Baronet; that the proposition met with his ardent co-operation; but that he had faith in the noble Lord, and would not oppose him. Another hon. Gentleman said, "We are all of your opinion, but do not press it to a division; it would be very uncomfortable." What were they to understand by that? His answer was, that he wanted a statement from the noble Lord, to tell them what he had not yet told them, when he was going to bring forward that proposition of which he had so often shadowed forth the expectation. By his present proposition the noble Lord had again stirred up dissension, and blown afresh the flame of fanaticism, to which unfortunately the party politics of this country too often had a tendency, instead of bringing forward that general proposition which would have united all sects, based upon the principle of thorough and fair toleration to all, and by which he believed the noble Lord would not have lost one supporter. It was totally impossible to maintain the narrow bigotry originally laid down by that scheme of education which had been destroyed by the debates of the last few days; and the very fact of the right hon. Member for Tamworth being there that night, and his declaration of toleration and full freedom to all sects, must be a cheering consideration to all those who had fought the battle of complete national education, for that alone could ultimately be satisfactory; and he had no fear that that full declaration of liberal opinions would forfeit the support of the really honest people of this country.

Lord J. RUSSELL: The hon. and learned Gentleman who has just sat down says, that I have begun my explanation to this House, but that I have not concluded it. In that last sentence I think he will not prove a true prophet. The hon. Baronet the Member for Southwark, brought forward, in a very fair and temperate speech, the Motion of which he had given notice, and adduced the reasons which appeared to him to support it. My right hon. Friend the Secretary of State for the Home Department, stated over again what he had stated to this House on a former occasion, and laid the ground for the House not agreeing to the Motion of the hon. Baronet. That explanation was satisfactory to many hon. Members of this House. It induced many hon. Members to say, that they were willing to leave this matter in the hands of the Government; that, agreeing with the hon. Baronet, who brought forward the Amendment, in the general opinion he has expressed, giving him every credit for the motives which have induced him to bring this Motion forward, they were well satisfied with the explanation given by my right hon. Friend who sits near me; that they believed that the promise of the Government will be fulfilled—that the declaration of the Government will be followed up—and, that if the right hon. Baronet presses this question to a division, however much they agreed with the hon. Member in general opinion, they must vote against him. Of that opinion is the right hon. Gentleman the Member for Tamworth; of that opinion is the right hon. Gentleman the Member for Wiltshire, who has spoken this evening: of that opinion is my hon. Friend the Member for Kildare, himself a Roman Catholic, and strongly attached—as the House well knows—and conscientiously attached, to those principles; of that opinion is the hon. Member for Lowth; and another hon. Gentleman, to whom I need not more particularly allude, has expressed the same confidence, and come to the same result. I am satisfied with the confidence expressed by those Gentlemen; I am satisfied with the distrust expressed by the hon. and learned Member for Bath; and I do not conceive that it is necessary to enter into any further explanation. I have done so on a former occasion. He has made statements which I have shown by printed papers to be erroneous; and, so far from removing misconception, I only find that I brought on myself repetitions of the former statements. For those reasons, therefore, I shall not enter into any further explanation upon this question. I do trust that the House agree generally with those hon. Members to whom the Government must feel obliged, differing as many of them do, and have done, from the general politics of those with whom I am connected, for the confidence they have exhibited in the fulfilment of our declarations. The hon. and learned Gentleman, alluding to other subjects, with that incapacity to find a good motive for any action he so frequently betrays in this House, tells us that we gave 8,000,000*l.* to conciliate the Roman Catholics of Ireland. It never entered into my imagination before, or into the imagination of any of the Members of Her Majesty's Government, that in advancing the money of the Exchequer in order to save from starving an unfortunate people whom a great calamity had struck down, acting as the hon. and learned Gentleman thought against the true principles of political economy—we never thought that in so doing we were conciliating any particular class of the people. We asked this House to do what we thought Parliament ought to do to a distressed portion of the people, whether belonging to the Church of England, the Presbyterian Church of Scotland, or to the Roman Catholic Church in Ireland. But the hon. and learned Gentleman says, our system is altogether wrong; that it is the poorer population—the exceedingly poor population, not having the means of voting subscriptions—that should be peculiarly assisted by grants; that it is a great omission on our part not to have made that proposal; and then he said, I looked with a triumphant smile because I knew I could meet such a proposition by a majority. Why, Sir, the reason of my smile was this—that some seven or eight years ago, the Committee of Privy Council took this particular subject into their deliberation; and as my right hon. Friend the Member for Portsmouth will recollect, they then said, where there were poor and populous parishes it would be very hard to insist on a large amount of subscription; but the rule should be, that according to the poverty of the district grants should be made. The reason, therefore, of my smile was totally different from that which the hon. and learned Gentleman supposed. But he says there may, by some accident, be some Ministry in power, who having no merits of their own had arrived at power by the dissensions of their opponents, and that they may mismanage and misgovern the country. Sir, that may very well happen; other things may well happen. It may happen that a city in the west of England may choose for its representative in this House a Gentleman who, without ever producing any wise measure of his own, may think it enough to carp and cavil at every other measure that may be produced; a Gentleman who, although he would attract little attention if he merely gave out his own theories, which are generally totally inapplicable to the country to which he belongs, and altogether at variance with the opinions of those he addresses; yet does attract a considerable degree of attention, because it is known that one party and the other, and every party, by turns, in this House, will come in for a great deal of very sharp abuse expressed in very epigrammatic language; it may happen that a city in the west may have the caprice to send such a Member to this House; and such a Member, we may expect, if he is speaking of a right hon. Gentleman who has been at the head of the Government of this country, will imagine no better motive for him when he declares that he wishes poor Roman Catholics to be educated, than that he is endeavouring to outbid those who are at present the occupants of the Treasury bench; and if, speaking of those in power, and of the relief they have been enabled to afford to the people of Ireland, will imagine no better reason for this, than that they were endeavouring to conciliate a particular class of Her Majesty's subjects. In short, there will be one characteristic about all his conduct—that he never will be able to conceive that there is any wisdom in the plans, or any generosity in the motives, of other Members of this House, whether they happen to be in the Government or out of the Government—whether they belong to one party or another. I should say that such a Member would take a very false estimate both of parties and of individuals. I should say, reverting to the subject which is now before the House, that, although it is to be regretted that we, most unfortunately as I must say, have given rise to a clash of religious opinions; although there have been out of door, and in various publications, warm opinions expressed by Protestant Dissenters, which we had no reason to expect—for they were at variance with the opinions expressed by Mr. Baines and other Dissenters who had been Members of this House—I say, although we have had that misfortune, yet, during nearly a week of debate, there have been among nearly all the Members of this House a singular forgetfulness of all party ties, of all individual and party interests; a very general wish to benefit the people of this country; a wish common to all, to see the people of this country raised by education to a higher moral rank; a wish—greatly to the honour of many Members who had been for years opposed to the present Government—willingly to lend their co-operation and to do their utmost to carry into effect the plans which Ministers have brought forward; while Members who were supporters of the Government, on the other hand, anxious to support them, but thinking there were some great defects in their plans, preferred, as they were right in doing, what they conceived to be for the benefit of the country at large, to any party attachment. Sir, any person watching fairly, watching candidly, the course of debate in this House, could not but feel the highest respect for an assembly which had so debated a very great question so intimately connected with the welfare of the people. That, I must confess, is my predominant feeling. I thank the Members of this House—the great majority of this House, for the confidence they have shown in the declarations of the Government; but, above all, I exult in the proof which the speeches in this House have given, that the Members of it have really at heart the improvement of their fellow-citizens; and that without distinction where the assistance for education is most needed, they will give the most.

Mr. T. S. DUNCOMBE said, he was not surprised that the noble Lord wished to divert the attention of the House from the real question before them. The real question which they had to consider was, whether or not Minutes for including the Roman Catholics were to be adopted in the course of the present year—was anything to be done for them in the course of the present Session of Parliament? The Government were not prepared to deny that the education of the Roman Catholics ought to be promoted at the expense of the State: then why did they oppose the Motion of the hon. Baronet the Member for Southwark? He would repeat the question which he had previously put, were they prepared to introduce a plan for the education of the Roman Catholics? He wanted even to know why the noble Lord would not state when he intended to make such a proposition. They all must remember that the noble Lord declined to state when he should do it. Yet he did not altogether despair of learning when that intention was to be realized. It was curious to see, day by day, how much might be squeezed out of the noble Lord. Attempts had been made to invalidate the statements which he had submitted the other evening; but he could confidently appeal to the House that evening, if every one of his statements had not turned out to be substantially correct. Very recently he had heard that the Government had opened a negotiation with the heads of the Church, and that the purpose, and, in fact, the result, of that negotiation was the exclusion of the Roman Catholics. Mr. Hughes had written a circular letter to the clergy of the different parishes throughout England, asking them to get up petitions in favour of the Ministerial plan, which had never yet been explained. He wished to know who had given authority to Mr. Hughes to make the statement contained in his letter, that the authorized version would be used in schools requiring Government aid? If Gentlemen on that side of the House were in favour of the principle laid down in the resolution of the hon. Baronet the Member for Southwark, where was the harm of saying they would adopt it, and give effect to it at once? If, indeed, they had a promise given that a supplementary vote for Roman Catholic education would be brought forward, he thought the hon. Baronet should at once withdraw his Motion. But this was not in conformity with what they had heard from the noble Lord, or from the hon. and learned Baronet the Member for the University of Oxford (Sir R. Inglis), who had been leading the Government for some time on this subject. That hon. Baronet had told them distinctly that when it was proposed to extend the scheme to the Roman Catholics, he should firmly oppose it, because it would be for the propagation of error, as he had opposed the grant for the endowment of Maynooth upon the same ground. The right hon. Member for Edinburgh (Mr. Macaulay), in the course of the tirade he delivered on a matter which no man doubted—the advantages of education—had found fault with him because he had not expressed his opinions with respect to the duty of the State in educating the people. He had not thought it necessary, in the speech he delivered on a previous night, to do so; all he had to do was to lay some ground for inquiry, and that he had done. He thought it the duty of a Government to promote the education of the people; but, with due regard to the circumstances of a country, he did not believe this scheme would accomplish the objects they had in view. To any system of national education they must have the cordial co-operation of all classes and sects; and any assistance that was given, ought to be received in a grateful, as well as offered in a liberal spirit. That, he thought, would not be the case in this country as regarded the system now proposed, for the population was torn by dissensions and sectarian enmities upon the question. The Dissenters said they would not accept Government aid, and consequently the Church would have the whole of it. The rural districts, in which at this moment the greatest ignorance prevailed, would be deprived of all benefit from this grant, in consequence of the regulations by which it was to be accompanied. Those districts which required it the least, would have the most; and those which required it most, would have least. Some few years hence they would have sixty or seventy inspectors, with salaries of 850*l.* a year each, the greater portion of them to be clergymen of the Established Church. To please the Wesleyans they had said that the schoolmasters should not be clergymen, though he was at a loss to understand why, in Church of England schools, clergymen might not be schoolmasters; nor could he understand why, in Roman Catholic schools, priests of the Roman Catholic Church might not be schoolmasters. He maintained that the large majority which had given the Government a triumph on this question, had been obtained in the most ignoble manner; but now the whole subject had been exposed and blown upon. If the Roman Catholics did obtain a participation in this grant, they would be indebted for it to the expression of opinions entertained by the two right hon. Baronets opposite (Sir Robert Peel and Sir James Graham). Surely it would have been far better if Government had in the first instance consulted the feelings and wishes of the Roman Catholics themselves, instead of having come to a pettifogging compromise, by resorting to the Centenary Hall in Bishopsgate-street. If, without inquiring whether the recipients of their bounty were Dissenters or Voluntaries, they had conferred upon the adherents of all religious creeds assistance from the funds to which all contributed, he said Ministers would have carried such a proposition by a majority as large as that by which they had defeated his unfortunate Motion of the other day. As it was, they had carried their plan by pitiful compromises; they had gained a triumph by truckling to those who despised them; they had gained it over those whom, when out of power, they professed to sympathize with; but whom now, in the plenitude of their power, they had most cowardly abandoned.

Mr. BROTHERTON hoped the hon. Baronet would not press his Motion, but leave the question with the Government.

Sir W. MOLESWORTH said, he wished to obtain a practical result, not the mere enunciation of a principle. He had never feared to go into a minority when the assertion of a principle was necessary; but when a practical point was the object, it was his duty to see whether he should be supported or not by a majority of that House. Many Members had originally supported the measure of Government, believing that under it Catholics would be included in the benefit of the grant of public money for education. When they found that the contrary was to be the case, they were excessively grieved. He had then given notice of a resolution which he thought would accomplish the object of including the Catholics. The answer of the noble Lord to the question put to him with respect to the intentions of the Government towards the Catholics was not satisfactory, because the noble Lord stated that they would postpone all consideration of the subject till next year. In consequence, he determined to persevere in his Motion. To-night he understood the right hon. Member for Devonport to say that he would endeavour to frame a Minute for the purpose of permitting Catholics to share in the grant of money for education; and he believed he did not misrepresent the right hon. Baronet if he said he understood him to intimate his intention to frame it as soon as he possibly could. In consequence of that intimation, hon. Gentlemen on both sides of the House, agreeing that Catholics ought to participate in the grants for education, had called on him to withdraw his Motion—amongst others, the right hon. Member for Tamworth. There was no person in that House for whose practical judgment and authority on all questions he had greater respect than for that of the right hon. Baronet. The right hon. Gentleman considered that the Government was pledged at the earliest period to frame a Minute for the purpose to which he had alluded; but the right hon. Gentleman stated that there were considerations and deliberations requisite for this purpose, and therefore advised him not to persevere in his present resolution. The question, therefore, was, was he to put faith in the declarations of Government or not? He had listened to the speech of the hon. Member for Bath, in whose sentiments he very frequently agreed; but he owned he could not concur in his hon. Friend's opinion of humanity as exhibited in that assembly. He could not agree with his hon. Friend in treating the Gentlemen on the Ministerial bench as persons on whose words no reliance could be placed. He felt himself, on the contrary, justified in trusting to those declarations—in trusting that Ministers would, as soon as they could, considering the difficulties of the question, frame Minutes, so as to enable the Catholics to participate in the grants of public money for purposes of education. Understanding that he had received this assurance, he would, with the permission of the House, withdraw his resolution.

Mr. BRIGHT wished, before the Motion was withdrawn, to correct a mis-statement made, unintentionally he was quite sure, by the noble Lord the Member for the city of London on the last occasion when this question was debated. The noble Lord said, that "amongst those who had voted against the proposition for the endowment of Maynooth, he found the name of the hon. Member for Durham, who doubtless would have objected to give the money of the State for the propagation of religious error." From that it appeared to be understood that he had opposed the Maynooth grant because it was a grant to the Roman Catholics, and would oppose any similar grants on the ground that it was for the propagation of religious error. If the noble Lord had read his speech, he would have seen that he (Mr. Bright) stated on the Maynooth question, that "for himself he should oppose the measure in every stage, and simply on the ground that he believed the principle of all endowments to be unjust and injurious to the country." If there were any subject on which he had stated a clear and decided opinion in that House, it was that of the public endowment of religion; he should not oppose the endowment of a Roman Catholic chapel any more than that of a church belonging to the Establishment. He was exceedingly sorry that the noble Lord should have hesitated in including the Roman Catholics in the benefit of the grant, believing, as the noble Lord did, that a public endowment would be for the general good. He would say nothing to the hon. Baronet to induce him not to withdraw his Motion; he thought all the effect which would be produced by a division, would be come to without a division. He trusted that whatever Government might be in power, and however they might be badgered by one sect to show them exclusive favour, they would maintain the high ground that, in the outlay and dispensation of public money, all men should be equal so far as their religious opinions were concerned; for if they were deprived of that equality, he knew not why they should not go back to religious persecution inflicted by men of one religious creed on those of another.

Mr. J. COLLETT, as representing a Roman Catholic constituency, objected to the withdrawal of the Motion of the hon. Baronet the Member for Southwark.

Mr. SHARMAN CRAWFORD wished to understand in what position this question was now, and whether the Government would this Session propose a vote for the education of the Roman Catholics. If that should be the case, he was willing to consent that the Motion should be withdrawn; but, if not, he hoped the hon. Baronet would not conset to withdraw his Motion.

Mr. HUME said, as the Government had given the pledge they had, it was unnecessary to divide.

The House, however, divided on the question that the words proposed to be left out stand part of the question:—Ayes 203; Noes 22: Majority 181.

List of the Ayes.

Acland, Sir T. D.
Acland, T. D.
Adderley, C. B.
Ainsworth, P.
Allix, J. P.
Antrobus, E.
Arkwright, G.
Bailey, J., jun.
Baillie, Col.
Baine, W.
Bankes, G.
Bannerman, A.
Barkly, H.
Baring, rt. hon F. T.
Barnard, E. G.
Bell, M.
Bell, J.
Bellew, R. M.
Benbow, J.
Bentinck, Lord G.
Bentinck, Lord H.
Beresford, Major
Berkeley, hon. Capt.
Bernal, R.
Blackburne, J. I.
Blakemore, R.
Borthwick, P.
Bowring, Dr.
Broadley, H.
Broadwood, H.
Brotherton, J.
Buck, L. W.
Buckley, E.
Byng, rt. hon. G. S.
Cardwell, E.
Cavendish, hon. G. H.
Chandos, Marq. of
Christie, W. D.
Christopher, R. A.
Clerk, rt. hon. Sir G.
Clive, hon. R. H.
Codrington, Sir W.
Colville, C. R.
Cowper, hon. W. F.
Craig, W. G.
Cripps, W.
Curteis, H. B.
Dalrymple, Capt.
Davies, D. A. S.
Deedes, W.
Denison, J. E.
Denison, E. B.
Dick, Q.
Dickinson, F. H.
Duncan, G.
Duncombe, hon. O.
Dundas, Sir D.
East, Sir J. B.
Ebrington, Visct.
Egerton, Sir P.
Ewart, W.
Ferguson, Sir R. A.
Finch, G.
Floyer, J.
Forbes, W.
Forster, M.
Fox, S. L.
French, F.
Fuller, A. E.
Gardner, J. D.

Gladstone, Capt.
Glynne, Sir S. R.
Gore, M.
Goring, C.
Goulburn, rt. hon. H.
Greene, T.
Grey, rt. hon. Sir G.
Grimsditch, T.
Grosvenor, Lord R.
Hale, R. B.
Halsey, T. P.
Hanmer, Sir J.
Harcourt, G. G.
Hardy, J.
Hastie, A.
Hatton, Capt. V.
Hawes, B.
Hay, Sir A. L.
Hayter, W. G.
Heathcote, G. J.
Heathcote, Sir W.
Heneage, G. H. W.
Henley, J. W.
Heron, Sir R.
Hindley, C.
Hobhouse, rt. hn. Sir J.
Hodgson, F.
Hope, Sir J.
Hope, A.
Hope, G. W.
Hornby, J.
Hoskins, K.
Howard, hon. C. W. G.
Howard, P. H.
Howard, hon. H.
Hudson, G.
Hume, J.
Hussey, T.
Ingestre, Visct.
Inglis, Sir R. H.
Irton, S.
James, W.
James, Sir W. C. H.
Jervis, Sir J.
Jolliffe, Sir W. G. H.
Jones, Capt.
Kemble, H.
Labouchere, rt. hon. H.
Lambton, H.
Law, hon. C. E.
Lawson, A.
Layard, Major
Liddell, hon. H. T.
Lincoln, Earl of
Lindsay, Col.
Lockhart, A. E.
Lygon, hon. Gen.
Macaulay, rt. hn. T. B.
Mackenzie, T.
Mackenzie, W. F.
M'Neill, D.
Maitland, T.
Mangles, R. D.
Manners, Lord C. S.
Marjoribanks, S.
Martin, C. W.
Masterman, J.
Milnes, R. M.
Morgan, O.
Morpeth, Visct.
Morris, D.
Morison, Gen.
Newdegate, C. N.
Newport, Visct.
Newry, Visct.
Nicholl, rt. hon. J.
Norreys, Sir D. J.
O'Conor Don
O'Ferrall, R. M.
Pakington, Sir J.
Palmer, R.
Parker, J.
Patten, J. W.
Peel, rt. hon. Sir R.
Peel, J.
Perfect, R.
Pinney, W.
Protheroe, E. D.
Pusey, P.
Rashleigh, W.
Repton, G. W. J.
Rice, E. R.
Rich, H.
Romilly, J.
Round, C. G.
Round, J.
Russell, Lord J.
Russell, Lord C. J. F.
Rutherfurd, rt. hon. A.
Scott, hon. F.
Scrope, G. P.
Seymer, H. K.
Sheridan, R. B.
Shirley, E. J.
Smith, A.
Smith, J. A.
Smith, rt. hon. R. V.
Somerville, Sir W. M.
Spry, Sir S. T.
Stanley, hon. W. O.
Stanton, W. H.
Stewart, J.
Stuart, Lord J.
Stuart, H.
Stuart, J.
Strutt, rt. hon. E.
Sutton, hon. H. M.
Tancred, H. W.
Thesiger, Sir F.
Thompson, Ald.
Tollemache, J.
Trotter, J.
Vane, Lord H.
Verner, Sir W.
Vivian, J. E.
Vyse, H.
Walsh, Sir J. B.
Ward, H. G.
Watson, W. H.
Wellesley, Lord C.
Williams, W.
Wodehouse, E.
Wood, rt. hon. Sir C.

TELLERS.

Tufnell, H.
Hill, Lord Marcus

List of the NOES.

Aglionby, H. A.
Arundel and Surrey, Earl of
Bright, J.
Callaghan, D.
Collett, J.
Crawford, W. S.
Dennistoun, J.
Duncan, Visct.
Escott, B.
Evans, Sir De L.
Fitzwilliam, hon. G. W.
Macnamara, Maj.
M'Carthy, A.
Marsland, H.
Mitchell, T. A.
Muntz, G. F.
O'Brien, C.
O'Brien, T.
O'Connell, M. J.
Philips, M.
Roebuck, J. A.
Thornely, T.

TELLERS.

Molesworth, Sir W.
Duncombe, T.

Resolution read a second time.

On the question that the House do agree with the Committee in the said resolution,

MR. EWART rose to move the Amendment of which he had given notice—

> "That, in districts where there is only one school receiving State support, children whose parents object to the kind of religious instruction administered there, may be admitted to the school without being subject to such religious instruction."

In various districts there would only be one school supported by the State. Would they exclude from that school the small minority of poor persons whose religious opinions differed from those of the majority? Would it be equitable to exclude that minority? He asked the House for a specific remedy for a specific evil, and he did not believe a great portion of the Church would resist his Motion. The hon. Baronet the Member for Droitwich (Sir J. Pakington) in a liberal speech the other night, expressed his wish, that in his and other rural parishes the children of Dissenters would not be excluded from the National school. It would, indeed, be a pity if they were shut out from secular education in the State school, because of their religious opinions. He would not detain the House at any great length, being content to rest his case on its intrinsic justice. He would only remark, that if the Church saw her real interest, she would not oppose a Motion such as this, which was only a slight extension of the principle conceded by the Privy Council. The second part of the Motion, having reference to the Government appointments intended to be given to the unsuccessful school candidates, he opposed, because the effect of the Government plan would be to induce lads who could never make good schoolmasters to take up the profession. It would be better to throw open these appointments to public competition.

MR. AGLIONBY seconded the Motion, which was the smallest and the most practicable of any that had yet been made to the House. It did not apply to any particular sect, but might apply to the Catholics and the Dissenters as well as to the Church. If there were a few rich people in a parish who raised the funds necessary to entitle them to Government assistance, was it not reasonable that the State should impose some terms on them? He would rather not have divided against the Government on the Motion of the hon. Baronet the Member for Southwark, but he was compelled to give a candid opinion on the proposition before the House.

Sir G. GREY said, it appeared to him that the principle of the Amendment now before the House, was precisely the same as that proposed by the hon. Baronet the Member for the Tower Hamlets (Sir W. Clay), though he would admit that it was less objectionable in its application. The hon. Member for Dumfries had spoken of the schools participating in the grant as State schools. They were certainly schools receiving State support, but they were not State schools. If it were proposed to found State schools throughout the country, then he should think the principle a perfectly sound one to dictate terms such as the hon. Member intended. But it must be remembered that these schools were voluntary schools, supported by voluntary contributions, and depending upon the voluntary exertions of their friends. They were not under State management or control; and the aid was given on certain conditions which the managers of those schools could accept. Instead of attaining the object which the hon. Member desired, the success of the Amendment would, in all probability, involve the rejection of the Government grant altogether. The managers of the two societies would reject the terms proposed by the Government as wholly inconsistent with the objects of those societies. At the same time, it was his own wish that there should be a greater absence of the exclusive system of religious teaching, and an extension of the practice of admitting children of different religious denominations, without insisting on their receiving particular religious instruction. Being of opinion, however, that that object would be better attained by leaving the matter to the good feeling of the managers of the schools, he should feel compelled to oppose the Amendment.

Mr. VERNON SMITH considered the grievance proposed to be remedied by the Amendment a practical one, and the chief grievance he had discovered in the Government Minutes. That, too, was the opinion of Dr. Kay Shuttleworth in his pamphlet. The Dissenters would be worse off under the new Minutes than they were before in places where only one school existed.

Mr. FINCH hoped that, in parishes where there was only one school, and that belonging to the National Society, the children of Dissenters would not have the catechism forced upon them.

Mr. ADDERLEY stated, that a petition had been forwarded to him in opposition to the Government scheme, alleging that full provision was already made for the education of the people; and he found that many of the petitioners were unable to write, and had affixed their marks to the petition. He thought, under the circumstances, the plan proposed by Her Majesty's Government was the best that could be adopted. He did not concur, however, in the position which had been strongly maintained by many hon. Members in the course of the debate, that it was incumbent on the State to undertake the education of the poor; for he considered that it was the duty of those by whom the poor were employed to provide for the education of those who were dependent upon them. He did not think that, in this country, a system of secular education, independent of religious instruction, could be successful. It might, indeed, be possible to divide the subjects of secular and religious instruction; and that principle, as they had to-night heard, had been most effectually carried out by Mr. Lee, master of King Edward's school at Birmingham. It was impossible, however, for any pupil to be under the care of such a man as Mr. Lee without being fully impressed with the importance of religious truth. He could not support the Amendment.

Mr. HUME supported the Motion of the hon. Member for Dumfries. He thought that secular education might be given, preparatory to religious instruction, and that from such a system advantage would be derived by both Churchmen and Dissenters. Mr. Kay Shuttleworth had, he believed, strongly recommended that the conductors of Church schools should throw them open to all persons, irrespective of religious opinions, without requiring the children to learn the Church of England catechism. He (Mr. Hume) believed that such a measure would be attended with great benefit to all classes of the community; for, in his opinion, the duties of the schoolmaster and of the clergyman were entirely distinct. The Government was placed in a situation of most unprecedented difficulty. They had to deal with persons of extreme religious opinions on each side, neither of whom would yield a jot of their strong opinion to procure the blessings of education for the ignorant. In Norfolk, there was a parish with 1,200 people wholly uneducated; and it had been recently proposed to build a school there—but there, so violent was the dissension, that, unless the Church of England would give up the use of the Church catechism, there could be no school at all. It was in such a case the duty of the Church of England to yield in points of that kind, where the education of the people was in question. Why should the Church insist on teaching the catechism and reading the liturgy in these schools? He was sure the Church, if it saw its own interest, and if it wished to see crime and ignorance abolished, would yield in those matters. Regarding the Amendment as a step in the right direction, though a small one, he should give it his support.

MR. PROTHEROE viewed the proposition of the Government as an encouragement of the voluntary efforts and of the voluntary system, inasmuch as although the aid was offered by the State, it was offered through the societies who were to receive it. Representing almost a Dissenting constituency, it would have given him great pleasure to support the Motion of the hon. Member for Dumfries; but he feared that in doing so he might, in this instance, injure the cause of education instead of advancing it.

SIR W. CLAY said, that the principle involved in the Motion of his hon. Friend the Member from Dumfries, was the same as that which was involved in the Motion that he brought forward the other night; and, after the division which had taken place upon his Motion, he thought it was scarcely necessary to divide the House again upon this Motion. He believed that his Motion and the Motion of his hon. Friend, would be productive of very considerable advantage; and, although neither of them were carried, would be of great value notwithstanding throughout the country. He hoped that the discussions which had taken place upon those Motions, would have the effect of showing the managers of schools generally, that there was a very general desire on the part of the House to see this assistance afforded to all children who had no other means of obtaining information.

MR. PHILIP HOWARD concurred in the recommendation to his hon. Friend to withdraw his Motion. He certainly thought that if any such grievance could be proved to exist as that to which the Amendment pointed, it would be proper to provide a remedy; but he disapproved of this mode of interfering beforehand with the conductors of these schools. He had not voted for the Motion of his hon. Friend the Member for Southwark not from any disapprobation of it, but because he did not wish to be forced into a division against the Government, after the assurance which they had given.

LORD H. VANE did not think it was necessary to divide the House after the general expression of opinion which had been afforded. He was satisfied that the general expression of opinion would have an effect upon the schools throughout the country.

MR. EWART said, that as so many hon. Members who were in favour of the principle of the Motion, requested him to withdraw it, he would not press the question to a division. He would trust to the liberality, good feeling, and Christian spirit of all sects in carrying out the measure in such a manner as was calculated to agree with the liberal opinions so generally expressed by the House on this subject.

Motion withdrawn.

SIR GEORGE CLERK would avail himself of that opportunity to express his deep regret at having heard the announcement of the right hon. Gentleman opposite, that the parochial schools of Scotland were to be the only schools in Great Britain which were to be excluded altogether. There was at present a very inadequate provision for those parochial schools; and he therefore the more regretted that they were to be excluded from this grant. What was the manner in which this sum of 100,000*l*. was to be expended? It was to be applied to three different purposes—to give additional salaries to the schoolmasters; to provide retiring pensions for those schoolmasters rendered by sickness or old age incapable ol following their profession; and to the purpose of training up young persons to be teachers, who were, of course, to receive a superior education. Why, he would ask, were the parochial schools of Scotland excluded from the advantages which were to be thus conferred? By the Minutes of Council, he saw nothing required but an application on the part of the schools, and an agreement on their part to submit to inspection; and if the parochial schools of Scotland agreed to these terms, he did not see why they should not obtain the advantages of having superior teachers, such as those persons who were to be educated at the normal schools would undoubtedly be. They were, in fact, by this exclusion, stating to the people of Scotland that the only schools which were to be excluded from these advantages were the schools in connexion with the Established Church of that country. He, therefore, trusted the noble Lord would consider this subject.

Mr. HUME was opposed to the proposal of the right hon. Baronet. The parochial schools of Scotland were established on a sound principle, namely, that of being supported by the property of the district; and he did not, therefore, approve of the application of this plan to them. He thought it more for the interest of Scotland that instead of taxing the country generally for schools, the country gentlemen of Scotland should be assessed for the support of the schools. He did not think the present system of taking money from Scotland to support schools in England was fair; and he would, therefore, say that it would be better to give to England the parochial system of schools which Scotland had.

Mr. FORBES MACKENZIE said, the principle of the proposal before the House was, that Scotland should contribute to this system of encouraging education; and when she contributed her share, surely she was as well entitled to a portion of the sum for the encouragement of the schools as any other part of the country.

Lord JOHN RUSSELL said, that when the right hon. Gentleman asked him a question at an earlier part of the evening, he had but a quarter of an hour to consider it. He was, however, ready to consider the subject before the Committee of Council. The House should remember that this plan applied, however, only to the schools on the voluntary principle; and the question would arise whether, if they gave this grant to the schools supported by assessment in Scotland, they ought not also to extend it to the schools supported by endowment in England, and in case of such an extension he feared the 100,000*l.* would go but a small way.

Resolution agreed to.

Report received.

RAILWAYS, PIERS, AND HARBOURS (IRELAND).

House in Committee on Railways, Piers, and Harbours (Ireland).

The CHANCELLOR of the EXCHEQUER said, that it might be in the recollection of hon. Gentlemen, who did him the honour of listening to what fell from him, when the noble Member for Lynn brought forward his proposition with respect to Irish railways, that he did not then express any opinion adverse to the construction of railways in Ireland. On the contrary, he had expressed an opinion that their construction would be beneficial; but he felt bound to oppose the indiscriminate and extensive assistance which the noble Lord proposed to afford them. Moreover, he did not think it expedient to go beyond the necessity of raising, as he had felt it his duty to raise, a large loan applicable to the relief of the existing distress in Ireland, and to propose a further loan of 16,000,000*l.* The proposal he was about to submit to the House, was based on a different principle from that of the noble Lord. He did not propose to advance any sum of money to any railway in Ireland, which was not in a condition, according to the terms of its Act of Parliament, to borrow. The advances and repayments would be made according to the same conditions as had on other occasions been settled by the Loan Commissioners, who, out of the funds at their disposal, year by year, had been in the constant habit of making advances to railways, if satisfied of the security and of the repayment of the money. In the present state of Ireland, it was impossible to deny that by this course the greatest impetus might be given to employment where the advances could be safely made. Accordingly, he found that the Loan Commissioners had agreed, from the fund usually placed at their disposal, to make small loans to railway companies; but, looking to the advances which it might be necessary to make for fever hospitals, in addition to other advances which might be required for some of the workhouses in Ireland, he was anxious that no very large sum should be drawn for the purpose of railways from the money at the disposal of the Loan Commissioners. Therefore, when the Commissioners reported to him that there was a railway line which they thought exceedingly advantageous to the country, and with respect to which they were of opinion that the advance of money would be safe, and ought to be made, and would have been made by themselves, without reference to him, if they had been in possession of sufficient funds of their own; and that the parties applying for a loan had engaged to make calls for the purpose of raising a sum of money of their own of precisely the same amount as the money lent them—he thought that in reference to the extent to which he proposed to go to-night, he should not only not run any risk, because the security was safe, but that it would be unnecessary for him to confer any powers of borrowing on the railway companies which they did not already possess. The railways to which he proposed to lend money having paid up 50 per cent of their capital, were in a legal condition to borrow. Under these circumstances, he thought that it would be advantageous to make a loan of limited extent to them—the loan not to exceed 620,000*l.* The first line to which he proposed to make a loan was the Great South Western Railway. The capital of that company was 2,600,000*l.*, and 1,400,000*l.* had been already paid up. They proposed to raise 500,000*l.* by calls to be expended between this and December; and he proposed to place money at the disposal of the Loan Commissioners, to enable them to make a loan to the company of 500,000*l.*, to be advanced in five or six instalments between this and December; the company making up, at the same time, as he had before said, a similar amount by means of calls. This would enable the railway company to continue the employment of workmen, who, if the advance were not made by the Government, would be dismissed. It would also enable them to employ, as they engaged to do, within a fortnight after receiving the money, 15,000 men beyond the number they could otherwise employ on the line up to Cork, and would likewise furnish them with the means of bringing this part of the line into operation before next Christmas. In the same manner, and on similar conditions, he proposed to lend 83,000*l.* to the Waterford and Kilkenny Railway Company. The capital of this company was 250,000*l.*, of which 125,000*l.* had been paid up, and the company promised to raise by calls a sum equal to that which he proposed to lend them. To the third railway in Ireland which he proposed to assist, the loan would be much smaller. It would amount only to 36,000*l.* The company to whom he proposed to lend this sum was the Dublin and Drogheda Railway Company. Their capital was 150,000*l.*, of which 100,000*l.* had been paid up. These sums would be advanced on the usual conditions, the Loan Commissioners being satisfied with the security. The whole amount, therefore, which he proposed to advance, repayable and subject to 5 per cent interest, was 620,000*l.* Adverting for a moment to another subject, he was sure the House would learn with satisfaction that there had been a diminution of expenditure on the relief works; and he thought it would be desirable to promote as far as possible by these advances on ample security—advances which would be properly expended and not thrown away on useless undertakings — profitable employment of this kind. He was happy to say that the reduction in the expenditure on the relief works in the course of the last six weeks had been very considerable, and that the expenditure, which he had calculated as approaching to a million of money a month, had been diminished, and the expenditure was now going on at a rate not exceeding 600,000*l.* per month. That was a diminution of 400,000*l.* in the month of April, as compared with March. In the week ending on March 13, the expenditure on the relief works was 245,000*l.*, while in the week ending on the 24th of April the expenditure had decreased to 125,000*l.* Further orders had since been given that the extent of the works should be diminished, as well as the number of the people employed on them; and he was very happy to say that a great number of the persons dismissed from the public works had been given employment by occupiers of the land. [Sir J. GRAHAM: Should not some allowance be made for expenditure on soup kitchens?] Undoubtedly some allowance ought to be made under that head; but the increased expenditure on that account did not at all approach to the decrease of expenditure on the relief works. The right hon. Gentleman concluded by moving—

> "That the Commissioners of Her Majesty's Treasury be authorized to direct advances to be made, out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, to the Commissioners for the issue of Loans for Public Works, and Fisheries, &c., to an amount not exceeding six hundred and twenty thousand pounds in the whole, to be by them advanced towards defraying the expense of making the following Railways in Ireland, viz., The Great Southern and Western Railway; the Waterford and Kilkenny Railway; and, the Dublin and Drogheda Railway."

MR. HUME had a great objection to this advance of public money under exist ing circumstances. On the recent discussion on the Railway Bill of the noble Lord (Lord G. Bentinck), the Government made a very good case, and showed that only a small portion of the proposed advance would go to the relief of the labouring population of Ireland; most of the persons employed would be skilled labourers from this country. But there were difficulties now which did not exist at the former period. The Bank was at that time lending money at 3½ per cent, and Exchequer-bills were at a very considerable premium; but now the bullion in the Bank coffers had fallen from 13,000,000*l.* to 9,000,000*l.*; and what was the situation of railroads in England? Could any one of them borrow now at 5 or even 6 per cent? [Mr. Hudson: Yes.] He was glad to hear it. He had been told by a person well qualified to judge, that since 1825 there had not been such a day as this in the city; and that there was so much difficulty that any bill exceeding a short date could scarcely be discounted at all. What was the case with Exchequer-bills? He doubted whether they had not been at a discount that morning; if not, they were very near it. Was that a state of things in which to advance so large a sum under such doubtful circumstances? Probably the Government would before long have to pay more than 5 per cent for any money they might want; and were we to lose by undertaking to provide this loan? At all events, the project required time for consideration, and it was now past midnight. There were hon. Gentlemen present who had been in the city that day, and would be better able to tell the Government the state of things than himself; but, for his own part, he could not agree to the vote with the statements he had received, and must move that the Chairman report progress.

Mr. GOULBURN feared the question now raised would give rise to considerable discussion; and perhaps it might be wise in the Government to allow the Chairman to report progress, and ask leave to sit again; but if they determined to press the vote now, he was ready to go on.

Mr. BERNAL OSBORNE had been rather surprised to find the Chancellor of the Exchequer making so important a Motion at such a late hour, and could only on that ground account for the absence of many hon. Members representing Irish interests, and who were strangely negligent of their duty when the affairs of their country were to be discussed. He hoped these few words would draw from some hon. Gentlemen representing Irish constituencies their opinion on this boon professed to be offered by the Government. He begged to deny that this was any boon to the people of Ireland. As far as he could gather, it was merely a loan of money which the railroads in question had a right to borrow; it was no more than what was provided by their Acts. What was the situation of Ireland at present? The right hon. Gentlemen who sat on the Treasury bench had taken it upon themselves to thrust a poor law upon that country; and he had expected it to be followed by supplementary measures to absorb the surplus labour of Ireland—something more than a beggarly grant of 620,000*l.*—something that would have been remunerative to Ireland. And this vote was left to twelve o'clock at night; and then up got an hon. Gentleman and opposed the vote, because of the state of things in the city. What was the state of things in Ireland? He solemnly believed that by this time next year there would be very little standing between the noble Lord and revolution in that country. The poor law had already begun to operate, combined with the Soup Act; and the rates were 7*s.* in the pound in many districts. The Irish Secretary must be aware that no rates could possibly be collected in Ireland; you might collect them from the gentry in several places; but as to collecting them from the farmers and the small holders, it was totally impossible: they were unable even to employ the people in the common labours of agriculture. If the Government wished to save property from confiscation, and to save the lives of the people, they must come forward with some larger scheme than this; he would not say with one for 16,000,000*l.*—that was the noble Lord's great mistake, calling for such a large sum—but some plan by which the surplus labour of the country should be employed in remunerative works. It was useless for the Chancellor of the Exchequer to tell the House that 600,000*l.* would be of any avail except to those particular railways; and the House had not heard that the Government were acting upon any great national plan.

The CHANCELLOR of the EXCHEQUER must, of course, yield to the Amendment, if the House was to have a long Irish debate, and observations upon the state of matters in the city; but it was an object that the loan to the Great South Western line should be made almost immediately (if made at all), for the sake of the persons now employed on it. There would be abundance of opportunities for raising the question, as he had to go through Committee with his Resolution, and then to bring in a Bill; and it certainly would facilitate the progress of the grant, if made at all, that one stage should be gone through on that night, and the Resolution be reported the next day.

Mr. ROEBUCK could not agree to that. He objected to the principle; and if he let the vote pass, he was, in reality, sanctioning the giving of the money. He must take the sense of the House in every stage on the advance. Talk about the fearful state of Ireland! It would be necessary soon to talk about the state of England too.

Lord G. BENTINCK should not object to the vote going forward. There shall be "more joy over one sinner that repenteth, than over ninety and nine just persons." He greatly rejoiced to find that Ministers had at length discovered that it was cheaper for England to lend her money receiving interest for it upon reproductive works, than upon those useless relief works, which were to return no interest and produced no fruits. He greatly rejoiced, also, to hear from the right hon. Gentleman, that in the course of the last two months, he had become better instructed upon the subject of the number of men to whom the construction or railways would give employment. He (Lord G. Bentinck) had proposed to employ 110,000 men a year with 6,000,000*l.*; but the right hon. Gentleman then told the House that 6,000,000*l.* laid out in railways would only furnish employment for 45,000 labourers; now he told the House that 600,000*l.* would employ 15,000 labourers; so that upon his calculations 6,000,000*l.* would afford employment not merely for 110,000, as he (Lord G. Bentinck) had formerly stated, but for 150,000 able-bodied labourers. It must be a great disappointment to the people of Ireland now to find upon what false grounds they were deprived of their darling measure for the construction of railways in Ireland. He was glad the right hon. Gentleman had at last come to his senses, and now proposed to grant a portion, at least, of the 16,000,000*l.* It had been said that he wished to advance money without discrimination to all railways throughout Ireland. He had done no such thing. It was only to those railways which the Railway Commissioners might recommend, and which should afford a certain guarantee, that he proposed to make advances. The right hon. Gentleman did not come down with any such guarantee. He selected three railways especially.

The CHANCELLOR of the EXCHEQUER: One half of the capital must be paid up. What the noble Lord proposed was, that all railways should receive advances, whether they had or had not entitled themselves to borrow by paying up, in accordance with the usual conditions, one-half of their capital. The objection to that proposal was, that the railways had not complied with that condition. But those to which the present proposition related had paid up one-half of their capital, and therefore they were in a condition to borrow. But it was further stipulated that they should pay as much more as it was proposed to lend them.

Lord G. BENTINCK: The proposition which the right hon. Gentleman had described as offering loans without discrimination, was a proposition to lend money only to railways on which a sum equal to one-third of that asked for on loan from the Government, had been paid up and expended on the railway, and in favour of which the Railway Commissioners reported that they furnished sufficient security to the Government for the punctual repayment with interest of the capital borrowed. And the objection raised to it was, first, that this was not an efficient plan for employing labour in Ireland; and, secondly, that the state of the money-market did not permit such advances to be made. He now found that his calculation that 16,000,000*l.* would give employment to 110,000 men in Ireland was understated. When it suited the purpose of the right hon. Gentleman, a million of money would give employment to half as many more able-bodied labourers as it could when it suited the right hon. Gentleman's purpose to resist a Motion proposed by his opponents. Then as to the money market; what was the state of the money market now? The right hon. Gentleman, since he (Lord G. Bentinck) made his proposition, had advanced the interest on Exchequer-bills. Nevertheless, Exchequer-bills, then at a premium, had now fallen to 4*s.* discount; and would it not be necessary for the right hon. Gentleman to raise the interest again? The advance of 16,000,000*l.* was not, as had been represented, to be made this year; the amount proposed to be advanced this year was only 4,000.000*l.*; and if the right hon.

Gentleman had advanced the money four months ago, he would have saved a great proportion of the 1,000,000*l.* a month which had since been, and was now in course of being, expended upon unproductive public works. It was impossible to avoid taking the opportunity of asking the right hon. Gentleman to afford the House some explanation as to the state of the money market, and the prospects of the manufacturing interests of the country. They were told that the best bills could be discounted only at 7 or 8 per cent, and those were bills that had less than 60 days to run. They were told that even Exchequer-bills were scarcely saleable at the present moment. When matters had been brought to such a pass, it might well be asked if this could truly be ascribed to the effect of railway advances, or whether it were not with better foundation to be ascribed to the exportation of gold, which was sent, instead of manufactures, out of the country, as had always been predicted, to pay for unrestricted imports? What did the right hon. Gentleman expect to be the effect of that still larger export of gold required to pay for the corn which was yet to come from America? Had railway speculations done all this? Had it brought up the rate at which good bills were discounted? Had it brought Exchequer-bills to 4*s.* discount? He recollected that the Bank of England encountered no such difficulties in August last, when it was freely discounting at 2½ per cent, though Railway Bills had just then passed Parliament which involved an expenditure of 120,000,000*l.* Was it not the Bank Charter Bill, so lauded in that House but a short time ago, which had forced the Bank to contract its issues, and so contract the currency that it was already grinding the trade and commerce of the country to dust? Why, they would have the manufacturers of Manchester, the traders of Liverpool, all the operative classes throughout the country, in a state approaching very nearly to ruin. Was it the intention of Her Majesty's Ministers to allow things to proceed in this downward course till the trade and commerce of the country could no longer bear the pressure; or was it their intention to come forward and afford the Bank of England some relaxation of those rigid rules which over and above 14,000,000*l.* annually forbade her to issue any notes, unless each note so issued was represented by a sovereign in her coffers? The Bank Charter Act was a very good measure for fair weather, but not for times like these. He called, therefore, on Her Majesty's Ministers before it was too late, before thousands of bankrupts came knocking at their doors, to give the Bank some discretion to make use of their credit, and thus enable the Bank directors to cease contracting their accommodation and circulation, which they had now begun, and for some time more would be obliged still further to contract.

The CHANCELLOR OF THE EXCHEQUER had certainly not been prepared for the speech of his noble Friend, who must be aware that he had introduced matter of a very different description from what was actually before them. That matter had been introduced, too, at a time when it could not be fairly discussed—at a time when it was not desirable to discuss it—and, therefore, he did not think his noble Friend had exercised his usual discretion in introducing this subject; because, although he felt imperatively called upon to reply to some of his noble Friend's remarks, it was evidently impossible to go into the subject at any length; and besides it would be unfair to do so, considering that there were some Gentlemen who might naturally be expected to take part in the discussion, and who, at that time of night, would have no opportunity of expressing their opinion. He did not think, therefore, that it was quite right in the noble Lord to introduce the subject after it had been intimated that he (the Chancellor of the Exchequer) was ready to acquiesce in the proposal to report progress. The noble Lord, it appeared, participated in the extreme alarm of impending ruin which was entertained by certain persons out of doors, and had fallen into the grievous errors of those persons in misconceiving and mis-stating (he was sure unintentionally) the facts of the case. The noble Lord had spoken of the state of approaching ruin into which the Bank had brought the merchants by the reduction of its circulation, in pursuance of the provisions of the Banking Bill. Now, in point of fact, the Bank had not reduced its circulation. What was called the stringent operation of the Banking Bill, had not been brought into play at all. The fact was, that up to this time the Bank had pursued that course which, on former occasions, before the Banking Bill, or what was called Sir Robert Peel's Act, passed, it had invariably pursued, namely, that during the earlier stages of a drain it had not reduced its circulation at all; and had, therefore, placed itself under the necessity of acting more stringently at last, than it would have been obliged to do if it had acted according to the intentions of the Bill. He did not think, then, that there had been any case whatsoever made out against the wisdom of that measure. Quite the contrary; for if the spirit of that measure had been acted upon three months ago, his firm conviction was that the country would not be in the situation in which it now was. Now, he considered it right that the House should know what the facts really were, which he thought rested on a somewhat better foundation than the very erroneous statement which the noble Lord had made to the House. He found that on August 29, 1846, the amount of bullion in the Bank was 16,366,000*l.*, and the circulation of notes 20,426,000*l.* On the 17th of April last, the amount of bullion in the Bank was 9,329,000*l.* (showing a decrease of 7,037,000*l.*) Now, what was the reduction in the circulation of notes? If the spirit of the Banking Act had been followed out, the diminution in the circulation would have borne some proportion to that in the bullion; but on the 17th of April, the amount of notes in circulation was 20,242,000*l.*, being a decrease of only 184,000*l.* Now, would the noble Lord, or any person either in or out of that House, after that statement, which had appeared in the *London Gazette*, and in every newspaper in the city during the past week, talk of the reduction of the circulation? With respect to the opinions of the noble Lord, and the apprehensions he might entertain, that was for the noble Lord to form a judgment for himself according to the best of his ability; but he ought, at least, to be contented to take the facts as they stood, and not increase the alarm and apprehension which he was sorry to say existed too much already, by a mis-statement of the facts of the case. Next, take the accommodation given to the public, because there was another error Gentlemen fell into, not in a matter of opinion, but of fact. Now, as to the accommodation given to the public—to the traders—upon whom, according to the noble Lord, there was a general pressure, in consequence of the diminution of discounts—by the refusal to discount bills—(he did not mean to say that the Bank had not refused to discount bills, but there was a limit beyond which even the Bank could not go in discounting bills)—if the noble Lord would take the trouble of looking at the Bank return of last week, the noble Lord would find an enormous increase of private securities in the Bank; and everybody who knew anything of these matters was aware that an increase of private securities held by the Bank at such times as these, indicated an increase of discounts. He knew that an idea existed that there had been a pressure put upon the Bank by the Government; and that in consequence of the assistance asked by Government, the Bank was unable to afford assistance to the merchants in the same way as they used to do before the passing of the Banking Act. If the noble Lord would take the trouble of referring to the Bank returns, he would see how unfounded that idea was. He took the period of the 29th of August last, and he found that the Government securities held by the banking department were 12,961,000*l.*, and that the private securities were about the same amount, not quite, being 12,395,000*l.* How did they stand on the 17th of April last? Why, the Government securities had diminished to 11,677,000*l.*, being a diminution of 1,284,000*l.*; while the private securities had increased to 17,111,000*l.*, being an increase of 4,716,000*l.*, or nearly 5,000,000*l.* Two weeks before (on the 3rd of April) the private securities amounted to no less than 18,627,000*l.* It thus appeared, therefore, that the Bank had increased its accommodation to the traders in the way of discounts to the extent of nearly 6,000,000*l.*, while the Government securities were less by 1,000,000*l.* Now, he did not think that these facts bore out the assertions or inferences which were drawn from them, or that there was anything in the position of the Bank, as controlled by legislative enactment, which had forced it up, to the 17th of April, to curtail the circulation, or to prevent it from giving that increased accommodation which it had been accustomed to give in times like the present. The Bank had kept up its circulation; it had increased its discounts; but no doubt, having kept up its circulation beyond the proper amount according to the spirit of the Act, it now found itself, as heretofore, in the awkward position of having to pull up more severely in the end than if it had commenced at an earlier period, and thus to make the pressure more severe because less gradual. It was perfectly true that last week there had been some diminution of private securities; but it was equally true that the diminution of private deposits exceeded the diminution of private securities; the former having been reduced 1,213,000*l.*, and the latter 1,025,000*l.*, as had been the case on former occasions soon after the payment of dividends. He would now refer to another point. Of course there had been, last quarter, as in every quarter except January last, a certain amount of deficiency bills. Now, he would read to the House the amount of Government securities held by the Banking department in the first three weeks of January last. If he compared these with the first three weeks of April last, he should show how little foundation there was for supposing that the amount of public securities held by the Bank was such as materially to interfere with the aid to the public in discounting private securities. The amount of Government securities held by the Banking department on the 2nd of January was 12,826,000*l.*; on the 9th of January, 12,757,000*l.*; and on the 16th of January, 12,757,000*l.* Again, on the 3rd of April the amount was 11,990,000*l.*; on the 10th of April, 13,574,000*l.*; and on the 17th of April it was reduced to 11,677,000*l.*; being considerably lower than in the corresponding period of the month of January. Therefore, in point of fact, with the exception of one week, the amount of public securities held by the Bank was considerably more in January than in April. He would also contrast the month of April, 1846, with the month of April, 1847, with respect to the Government securities held by the Bank. They stood as follows on the days most nearly corresponding to each other in the two years:—

1846.	1847.
April 4, £13,136,000	April 3, £11,991,000
11, 14,437,000	10, 13,574,000
18, 13,957,000	17, 11,677,000

Comparing then the 3rd of April, 1847, with the 4th of April, 1846, the Government securities held by the Bank were less in the present year by 1,145,000*l.* On the 10th April, 1847, compared with the 11th April, 1846, they were less by 1,063,000*l.*; and on the 17th April, 1847, compared with the 18th April, 1846, they were less by 1,280,000*l.* But what was more material as a test of what was called the extraordinary demand of the Government, was the increase in one week, and the decrease in the next. The increase in the week after the dividends last year, was 1,301,000*l.* In the present year, it was 1,584,000*l.* The increase, therefore, in the Government securities held this year by the Bank, in the week after the payment of the dividends, only exceeded the amount of increase last year by 284,000*l.* There was only one week in which, as everybody knew, the *maximum* was held. In the course of the week following, the diminution last year was only 480,000*l.*; but what was it this year? It was not less than 1,897,000*l.* Consequently, within two weeks of the payment of the dividends, the pressure was taken off the Bank; and the demands of the Government were more decreased this year than the last in the fortnight following the payment of the dividends. He thought this statement completely answered the assertion, that, owing to the pressure put upon the Bank by the Government, the Bank was unable to afford the usual amount of accommodation. His noble Friend also had forgotten the amount of circulation which was usually out among the public in the corresponding period of former years. The amount now in circulation was 20,242,000*l.*, independently of the reserve in the Bank. He had sent for the report of the Banking Committee, and had turned to the returns for some years back, and preceding the passing of the new Bank Act; and he found that in the month of April the circulation never exceeded 18,000,000*l.*, and that in the year 1840, which was not one of pressure, it did not exceed 17,000,000*l.*; nor during the whole of that year did the circulation exceed that amount; and it had been down to 15,000,000*l.* The present supposition of the noble Lord, therefore, was a little more wild than some former calculations which had been made in that House. Neither the state of the circulation, nor that of the accommodation given to the public, in discounts, was sufficient to account for the alarm which existed in the city of London and in the country. He believed, himself, from what he had heard, that at the present time of the year trade never was in a sounder state; there was an absence of speculation, and the bankers were acting with great prudence, and were reserving to themselves the ability to meet the demands which might be made upon them. There was no doubt that a drain of bullion was going on, and that this caused a pressure upon all the interests of the country; it had never been otherwise, and he believed it never would be otherwise; but if it were thought to be owing to the circulation of the Bank of England, the pressure could not arise from that. The price of stocks, no doubt, was low, and Exchequer-bills, no doubt, sold that day at 4*s.* discount; but the price of stocks was not so low as it was a fortnight ago. The 3 per cents that day were $85\frac{7}{8}$ to $86\frac{1}{8}$; they were below this a fortnight ago; and now they were higher at the termination than at the beginning of the day. The $3\frac{1}{4}$ per cents were that day at $87\frac{1}{8}$; and on the 10th of April they were as low as $85\frac{7}{8}$. This pressure did not arise from the Government, nor was it so great as at the same time in other years. He had kept the Bank warned of what the probable demand for deficiency bills would be; and therefore if it had acted in any way in error, it was not for want of knowing what sum the Government would require. He might as well take that opportunity of referring to another mistake which had been made, in supposing that there had been some extensive operations with the savings' banks money. The complaint had been made that the Government had dabbled with the savings' banks money, and so lowered the funds; but all that had been done was very simple, and must have had a directly contrary effect. The depositors in the savings' banks, finding that a greater amount of interest was given by the private banks than in the savings' banks, had chosen to withdraw their money, as they had a perfect right to do. The only mode of meeting this withdrawal was by selling stock, and therefore the broker was instructed so to do; but in order to prevent a fall in the funds, he had applied the amount of the sinking fund in his hands to the purchase of the stock so sold on account of the savings' banks, thereby preventing the effect in the market which the operation would otherwise have had in the deterioration of prices. So that, so far from anything having been done by him which could possibly lower prices, the result of what he had directed, must undoubtedly have been to keep them up.

Sir J. GRAHAM rose, as he presumed, with the same object as many hon. Members who were anxious to address the House; for he must say, that after the latter part of the speech of the noble Lord the Member for Lynn, it was absolutely necessary that the right hon. Gentleman the Chancellor of the Exchequer should make some reply; and he thought the right hon. Gentleman had made his statement with great perspicuity; and, though it might not be in all respects so satisfactory as they could desire, it would have the invariable effect of truth, to diminish exaggerated alarm arising from misapprehension. But with respect to the remaining point in this important discussion, he thought it too late then to decide, whether, in the present state of our monetary affairs, the House should agree to the Motion; they must gravely consider the wants of the Irish people and the condition of England, when they were called upon to borrow 650,000*l.* to advance to three Irish railroads, after all the immense advances which the necessities of that country had compelled them to make during the last three months. This was too important to discuss then; and he hoped the Chancellor of the Exchequer would agree to the Chairman's reporting progress.

The CHANCELLOR of the EXCHEQUER had acquiesced in that before his noble Friend spoke, and was not prepared to object to it now.

Mr. HUDSON could not permit the statement of the right hon. Chancellor of the Exchequer to pass without some explanation. If the right hon. Gentleman had chosen to bring forward his own views, without casting reflections upon the noble Lord, the House would have heard no observations from him; and if the right hon. Gentleman were to complain of his observations, the right hon. Gentleman had his own indiscretion and want of good judgment to thank for it. The right hon. Gentleman had chosen to state what was contrary to the fact, that the Bill of the noble Lord provided for an indiscriminate loan of money to the different railways in Ireland. That was not true. So far from it, that the Bill of his noble Friend guarded against it in the most careful manner. He wished to call attention also to the fact that in the statements of the right hon. Gentleman with regard to the Bank, he had not said one word with regard to the deposits, which was a most important question in considering the management of the Bank affairs. He thought it right to ask the right hon. Gentleman and the House if they ever knew the money market to be in such a state as at present, when with an amount of bullion in the Bank of England to the extent of nine millions, they found money at such a high price as it now bore? He did not wish to pledge himself as to any particular measure; but he thought it was matter for serious consideration with the Government that with such an amount of bullion in the Bank, money was so high in price as eight nine per cent; in fact, that there was as great distress in the country now as there was when the amount of bullion in the Bank did not exceed one and a half or two and a half millions.

Mr. T. BARING said, the right hon. Baronet the Member for Dorchester thought the speech of the right hon. Baronet the Chancellor of the Exchequer was likely to remove the apprehension and alarm that existed: he hoped it might have that effect; but let him tell the right hon. Baronet that the objections, difficulties, and fear that now existed, did not originate from any reduction in the circulation of the Bank, but from the reduction and contraction of the facilities of accommodation afforded by the Bank. When the right hon. Gentleman knew, and none knew better than he did, that the whole trade of the country, and particularly the export trade, rested on credit, and that without the facilities of the Bank, that credit could never be brought into play; and that if there were any possibility of not obtaining discounts by the Bank, or any doubt of that possibility, no facilities would be given to trade; the right hon. Gentleman would see that if the Bank kept up the full circulation, yet the great difficulty and cause of alarm was not touched by him; which was this, that with that full circulation (and he did not agree with the right hon. Baronet that the Government had had no part in creating the difficulty), with more gold in the Bank than in old times was considered sufficient to keep the whole trade in the country in a flourishing state, yet everybody was afraid of what might happen—everybody was contracting his business, and looking to the Bank, and keeping his own bank notes; and that arose solely from the want of power of the Bank to give that confidence which the country required. He thought his right hon. Friend, when he considered that the statement he had made would remove the alarm that existed—when he stated that there was a circulation of 20,000,000*l.*, and that he had only taken his usual advances—had not touched the real question, which was, how was the trade of the country to be carried on if no facilities were given by the Bank?

Mr. FORBES wished to ask the right hon. Baronet the Chancellor of the Exchequer how it was that, with the accommodation which the Bank charter afforded, the late Chancellor of the Exchequer and the right hon. Gentleman the Member for Dorchester thought half a million so serious a matter in regard to Ireland, and how it was the application which had been made from Scotland by the Scotch banks for the relief of half a million of gold was refused?

Mr. J. A. SMITH said, that the circulation was perfectly sound. They knew that the amount of Bank notes in the country was perfectly adequate to the general wants; but, confidence, which was shaken through the alarm as to the condition of the Bank, was wanted. They knew that the accommodation given by the Bank was limited to the amount of its rest, and that was the only ground of distrust. It was altogether a most anomalous state; for, instead of the currency being depreciated, he found it it was appreciated. It was probable that the inconvenience to which the Bank had exposed the community would have been less if they had made their contraction before; but he believed that in London there was unnecessarily great distrust and alarm. At the same time, he did not think that the statement of the right hon. Baronet the Chancellor of the Exchequer would remove that apprehension, because it did not touch the grounds upon which that apprehension rested. He hoped that, if necessary, some discretion would be given to the Government to increase confidence in the Bank, and to confirm the opinion expressed by the right hon. Baronet. He entirely agreed with the right hon. Baronet that commerce was never in a sounder state—that there was never less of speculation; but in his experience he had never seen alarm more general or greater than in the last few days. He believed that that alarm was not well founded; but it produced results equally as disastrous as if it were.

Mr. NEWDEGATE begged to call the attention of the House to one fact. A very great injustice had been done to his noble Friend (Lord G. Bentinck); for his noble Friend had stated that there was an anticipation of great distress and great pressure dating from this period—an anticipation, the truth of which the whole statement of the Chancellor of the Exchequer tended to confirm. It was not fair it should go forth that his noble Friend had stated that the contraction of the circulation had taken place, when his noble Friend had only referred to the future, and when his whole statement was confirmed by the Chancellor of the Exchequer. The statement of the right hon. Gentleman turned wholly on the word "hitherto;" for he said, that hitherto the Bank had not acted on the law, and that hitherto the pressure had not occurred.

The CHANCELLOR OF THE EXCHEQUER proposed to adjourn the debate to next day, and he hoped that it might come on, for he thought it very desirable that this discussion, having been commenced, should be concluded.

House resumed.

Committee to sit again.

House adjourned at half-past One o'clock.

ERRATA.

Page 616 line 15, *for* Exchequer Bills (18*l.*, 310*l.*, 700*l.*), *read* Exchequer Bills (18,310,700*l.*).
699 — 11, *for* Watcharer, *read* Walcheren.
702 — 14, from bottom, *for* 1111, *read* 1811.

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VOLUME XCI.

BEING THE THIRD VOLUME OF SESSION 1847.

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1*R.* 2*R.* 3*R.* First, Second, or Third Reading—*Amend.*, Amendment.—*Res.*, Resolution.—*Com.* Committed.—*Re-Com.*, Re-committed.—*Rep.*, Reported.—*Adj.*, Adjourned.—*cl.*, Clause.—*add. cl.* Additional Clause.—*neg.*, Negatived.—*l.*, Lords.—*c.*, Commons.—*m. q.*, Main Question.—*o. q.* Original Question.—*o. m.*, Original Motion.—*p. q.*, Previous Question.—*r. p.*, Report Progress—*A.*, Ayes.—*N.*, Noes—*M.*, Majority.—1*st Div.*, 2*nd Div.*, First or Second Division.

☞ *The * indicates that no Debate took place upon that Reading.*

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